The UNESCO COURIER

MARCH 1994

HUMAN RIGHTS

THE UNFINISHED TASK

INTERVIEW WITH
EDOUARD J. MAUNICK

ENVIRONMENT
SMALL ISLANDS:
DREAMS AND REALITIES

HERITAGE
HAITI:
THE FABULOUS WORKS
OF HENRY CHRISTOPHE

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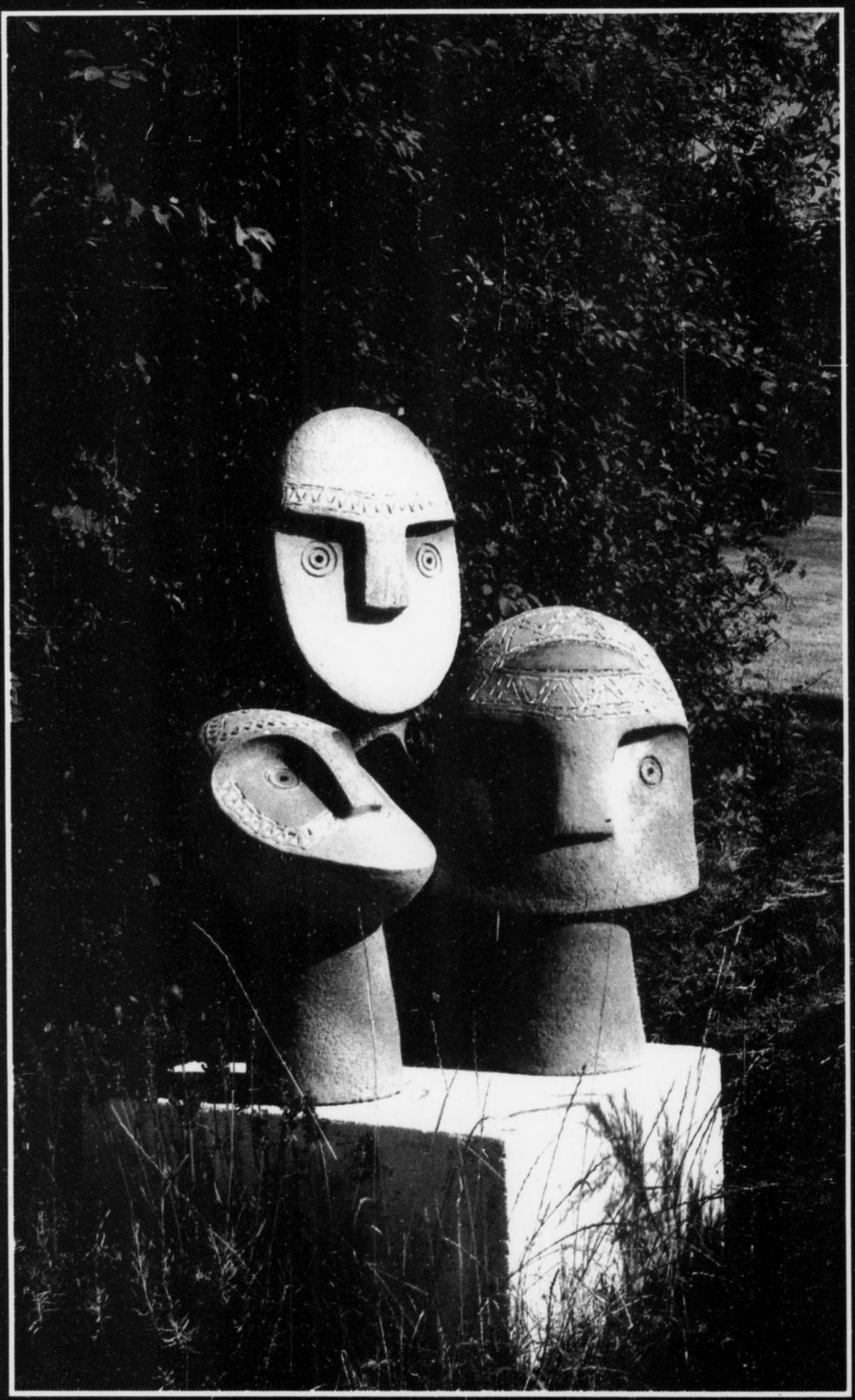
E N C O U N T E R S

We invite readers to send us photographs to be considered for publication in this feature. Your photo should show a painting, a sculpture, piece of architecture or any other subject which seems to be an example of cross-fertilization between cultures. Alternatively, you could send us pictures of two works from different cultural backgrounds in which you see some striking connection or resemblance. Please add a short caption to all photographs.



TURNING TOWARDS THE LIGHT

1989, stoneware
Agnès Andrée Legrand

Returning from a visit to Morocco, French ceramist Agnès-Andrée Legrand brought back from the mountains of the High Atlas some statuettes whose facial expressions reminded her of the mysterious stone statues of Easter Island. Inspired by this intriguing similarity, she created these three "silent heads turning towards the light"—an intermingling of influences from the South Pacific and North Africa on the soil of France and in its clay.

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Cover:
Crowd XV, a watercolour by the American artist Diana Ong.

Special consultant for this issue:
Ehsan Naraghi
with a contribution from Diana Ayton Shenker

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"The Governments of the States parties to this Constitution on behalf of their peoples declare,
"that since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed . . .
"that a peace based exclusively upon the political and economic arrangements of governments would not be a peace which could secure the unanimous, lasting and sincere support of the peoples of the world, and that the peace must therefore be founded, if it is not to fail, upon the intellectual and moral solidarity of mankind.
"For these reasons, the States parties . . . are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives. . . ."
EXTRACT FROM THE PREAMBLE TO THE CONSTITUTION OF UNESCO, LONDON, 16 NOVEMBER 1945

EDOUARD J. MAUNICK

talks to Jasmina Šopova

Among authors writing in French today, the Mauritian poet Edouard J. Maunick is one of those who most strikingly embodies and champions the values of a mixed racial background. He has written more than a dozen books, one of which, *Ensoleillé vif*, won the 1977 Prix Apollinaire, a leading French poetry prize. All his works are centred on the encounter between the self and that which is outside the self. They are filled with the wonder of a childhood and adolescence spent on his native island, where he experienced the plurality of cultures as a living reality. After nearly ten years as director of the UNESCO Collection of Representative Works, he is now associate editor of the Paris-based magazine *Jeune Afrique*.

JASMINA ŠOPOVA
is a Macedonian essayist

■ *You like to describe yourself as not just an "insulaire"—an islander—but an "insulé"—someone who has as it were become an island unto himself. What do you mean by this?*

—I use that word because I believe the condition of being an islander is determined both by the place of birth and by the person born there. Let me explain. Those who are born on an island and live there for years imperceptibly adopt the "attitudes" specific to it. When I use the term *insulé*, I refer to that natural chacteristic of the islander. I invented it because I felt the need to be more precise. It is a better way of expressing the metamorphosis from person to island: one is born an islander but one becomes *insulé*.

■ *At the same time you present the island as a confined space, penned in by the sea.*

—Mauritius is a very small island, a rock cast out in the vast ocean, so that when one reaches the age of awareness and begins to try to find oneself, one is inevitably overcome by a feeling of constriction, both physical and mental. The island hems you in, clasps you to it. At times you even feel cramped within your own body, your own skin. That at least was the well defined and painfully sharp impression I had, especially on the seashore. The littoral was the place where the revelation came to me.

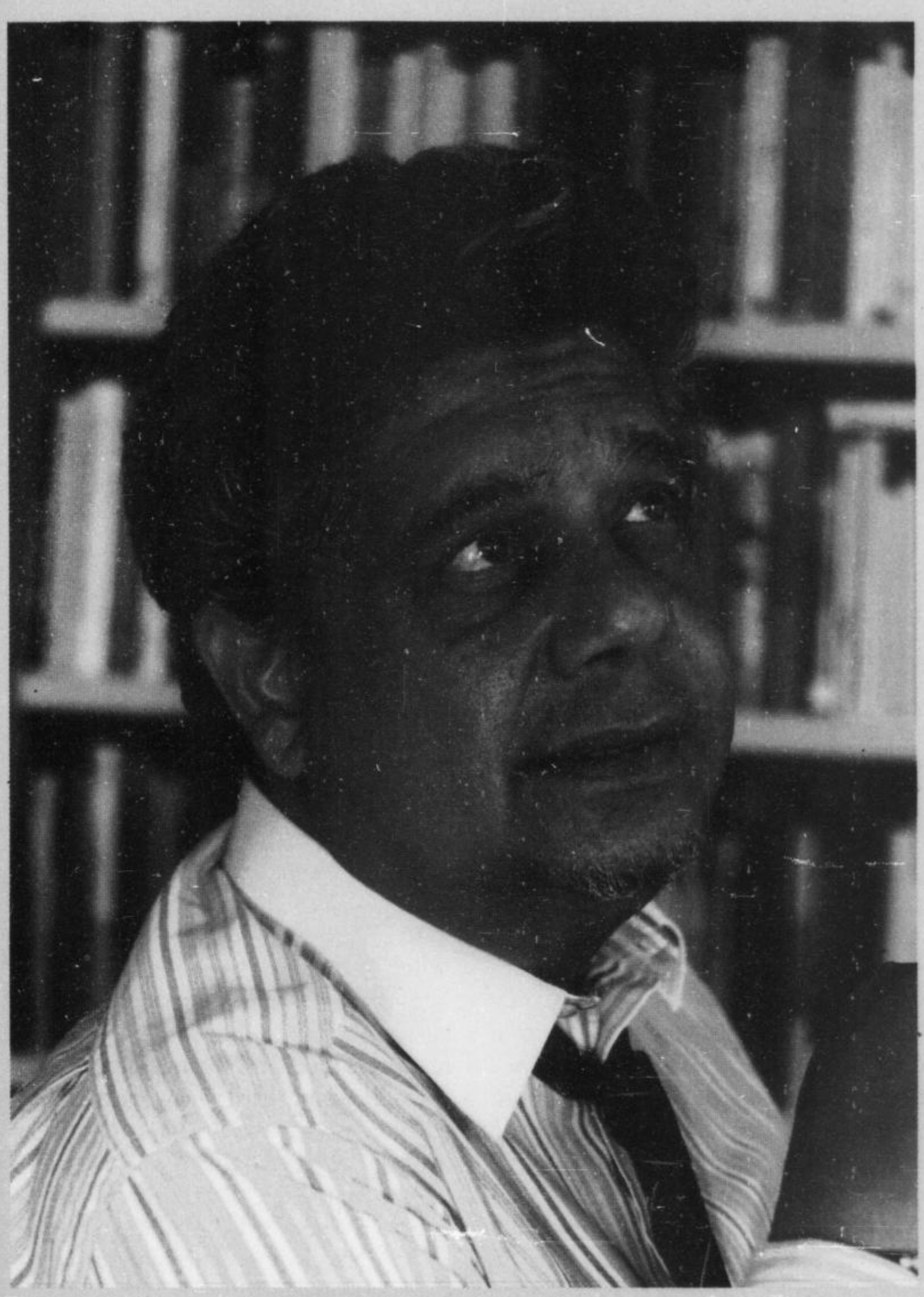
■ *In your poems you compare the sea to a prison's bars. Is being surrounded by the sea such a curse?*

—An island is an enclosed space and the sea a way out, into the wide world beyond, but an island also has another dimension. It is fertile in more than one sense. What I mean is that when your eyes are drawn upwards by the hills and the trees, from the foothills and roots to the treetops and summits, your gaze emerges into the wide open sky in all its immensity. In the same way, the branches draw your eyes outwards and away, beyond the outermost leaves. This constant toing-and-froing of the eye in the end conditions what many would call the soul but for which I have no name. No matter, everything overflows and reaches out.

When you have been raised in the school of sun, rain and wind, of the red soil of the tropics, the clouds and the stars, all these supposedly inanimate things, the constriction that at first felt like a curse, a sentence passed at birth, soon elicits a reaction that is both awesome and sweet, an irreverence that sets things in motion. One does an about-turn; one's eyes are no longer fixed on the island's centre but look out to sea and the horizon becomes another country, other countries. That is when the dream begins, the urge to leave. . . .

■ *That is also when exile begins. You were barely thirty when you left your island for Paris. You were later to write that exile is hard, even when it is self-imposed.*

—Exile becomes hard when loneliness sets in, a loneliness that has more to do with the memory of something essential rooted within oneself than with ordinary recollections. Otherwise I do not regard exile as painful, because it not only means leaving home to go somewhere else, it also means stepping forward towards yourself, deciding to get to know yourself and to live in and with yourself. After living through your own tribulations and moments of wonderment, you need to find out about others, but the first essential is self-knowledge. Exile then becomes a quest, an expedition into the inner space of others, in the course of which one must above all never give in to the temptation of wanting to portray others in one's own likeness, on the pretext of aligning certain details. That would be simply subjecting others to the appetite for power that gnaws at all



of us. Sharing is something else. Exile then becomes an opportunity for getting to know, a fabulous voyage of discovery.

■ *It appears from your poems that wherever in the world your travels take you you discover something of your native island.*
—Exile is fraught with a sense of loss, to make up for which some part of that which one encounters transforms itself into that which is missing. It is true that wherever I go I find scraps of my childhood, when everything was a source of wonder to me. My desire no longer to regard my island as a self-contained place, an outcast from the world, goes together with a desire, expressed through my verse, to bring my country closer to other countries.

■ *Often by means of certain leitmotifs like the "sega", the music of African origin found only in the Mascarenhas Islands in the Indian Ocean. . . .*
—The sega is for me not just a type of music peculiar to the Mascarenhas but a vibration, a throbbing in the guts. Another reason why I bring in the sega is for this throbbing rhythm to merge with the rhythm of the world. In much the same way, although I am a man in search of himself, I am nothing without the crowds that fill the world. That is why I believe the world should be as one, that the true name of the world is solidarity, togetherness, sharing. Unless we share, listen to one another, speak to one another, emptiness and silence ensue.

Living means being surrounded by the hum of life, of which the sega is part. All human beings need vibrations, need to express that busy hum of living in sounds and harmonies, to find an accompaniment. They need their own small tune to play in the great orchestral score of the world. I am not being a dreamer when I talk in this way. It is from a refusal to talk in this way that wars come about.

■ *Is that why poets need to link this "vibration", by means of their words, to the whole human condition?*
—Words are more universal than people think. They are not the exclusive property of a particular person. Writing in French, I often give the words a different meaning, a different echo, a different ring, no doubt because I bend the language or try to join it in lawful or unlawful wedlock with my own Creole speech. To admit this is not to detract from French. On the contrary, it is to enrich it, to show the love of an *insulé* for the language, to spice up the words not so much so as to give them local colour as because you can't help it, because it comes naturally.

As far as I am concerned at least, it is not the words alone that give a poem its meaning but also the way they are chosen and used. When I use a word, I give it a cadence of my own. Using a word affects its meaning, its harmonics, its music and movement.

■ *You see the poet then as a sort of alchemist?*
—To some extent the poet creates language. He draws speech out of silence and the unspoken, and in the southern hemisphere all poetry is speech; but although poetry is my way of reaching out to myself and the world, it is also the most essential and at the

same time most pointless act I perform. Here we enter deep into the realm of paradox—for better or worse.

The fact is that life is made up of paradox. Poetry is essential in that it enables me to say what I see, not just what is before my eyes, and what I hear, not just what I listen to. I have been given the stewardship of a talent for which I cannot take the credit, and I realized from the outset that I must use it in a serious and responsible, not a facile, way. Poems are my weapon, the voice that speaks to me, the music I dance to, the fire that warms me and burns me, the light by which I see things more clearly.

I have made use of poetry and I still do, but you will understand that it also verges on pointlessness. I am not saying that I am not happy to write—I dare to believe that my poems are not of use to me alone—but face to face with the ignominy of death the eternal question recurs—why? Perhaps, after all, that is what life is, asking questions.

■ *Are you casting doubt on poets?*

—Yes and no. I do not see the poet as a mere adjunct of the nation, a decorative flourish, quite the contrary. This is not to plead my own cause: poets can claim some of the credit for the fact that peoples have survived and civilizations have not disappeared. Memory is enshrined first in their spoken words, then in writing and now in images. The greatest film-makers, photographers, painters and sculptors are primarily poets. To grasp the inner meaning, the emotion in things—not the explanation but the emotion—is to attain to the epic, the memory that must endure. Dictators, the murderers who always condemn poets first, before soldiers and politicians, know what they are about. Poets lug memory around with them, they make trouble!

■ *One of your poems, "As far as Yoruba land", clearly illustrates the disagreement you have often expressed with Paul Valéry's idea that civilizations are mortal.*

—You are quite right. As long as a single closely or distantly related heir to a civilization survives, that civilization cannot die, and even should that individual disappear, his or her civilization would still be there, because it would have nourished others. That is the way the world's great heritage is shared out: it is enough for traces, only traces, to remain for everything to begin again.

One day I happened to be in Oshogbo, in Yoruba country, with my friend Wole Soyinka. We were in a sanctuary, richly adorned with stone carvings and with traditional paintings on the surrounding walls. He explained that it was a shrine to Oshun, the Yoruba goddess of fertility, and he told me the ancient story that comes into the poem you mentioned. I revisited that vestige of an immemorial civilization in the 1960s. The place was deserted but I, someone born thousands of miles away, had come back there and I instantaneously and with great intensity relived that memory.

I believe that even in more ordinary, humdrum circumstances we can experience other civilizations, of whatever age.

■ *In the same poem we come across your holy trinity: Oshogbo, Benares and Gethsemane.*

—I was fortunate enough to be born in a country where all the great religions are present. I was christened and I read the Gospel and then the whole Bible, but I also read the *Vedas*, the *Ramayana* and the Egyptian Book of the Dead. The Bible made me want to discuss things with my school friend Aziz—I was aware that he attended a different place of worship from me and observed different rites. I wanted to find out, I read the Qur'an. My father Daniel Maximilien taught me one should always try to get to the origin of things, and that was how my search for my identity led me to discover my Hindu roots. I had the good fortune to have a great master, Ram Prakash, who introduced me to Indian culture and got me to read the *Mahabharatra*, the *Bhagavad Gita* and the *Tripitakas* as well. When I later met Miguel-Angel Asturias, he opened my mind to the Aztec Bible, the *Popol Vuh*.

All this is rewarding but at the same time makes the questioning more intense. The discovery that places are different but not people is no doubt due to to my deep personal experience of Mauritius' plurality—the triune divinity Oshun/Shiva/Jesus is the trinity that has run in my veins from birth. Be that as it may, in spite of all vicissitudes I am still a close friend of Christ. I often speak to him because I am convinced that he too must have asked himself many questions about the human condition, and the answers he found concern me still.

■ *You have often said you do not accept ready-made answers.*

—There are so many questions to ask. It's not that I take pleasure in it, but what else can one do? I began to ask questions and to put questions to myself very early, perhaps too early, which may be why I have found answers but not *the* answer, and when I realized I was too soon with my questions I rebelled. Rebellion is my way of surviving while thinking I am living. Whether or not I shall one day find the ideal, the complete and final answer I don't know. In the meantime I must reply. Somewhere I find answers. I do not rebel for rebellion's sake. There have been victories, but however uplifting they may be, this loneliness that creeps up on me belies everything.

■ *How did this rebellion start?*

—In several situations, great and small. For instance, when I witnessed the contempt shown by someone of a supposedly superior race towards my father, simply because he was a descendant of coolies and slaves, had a black skin and bore an Indian name, my blood boiled. That was when I began to rebel, when I was still a child, not ten years old. That was the day I went to war and told myself, clenching my fists and gritting my teeth: this is not going to happen ever again, not to me nor to others, and especially not to my father.

So I felt this pressing need for justice at a very early age. The Bible says that after death we shall live in a kingdom where justice reigns. I didn't understand then and I still do not understand. I am an impatient person, I'm incapable of waiting. I say to myself that death always comes too soon. History is forever blowing up in your face—South Africa, apartheid, the concentration camps of the Second World War, Hiroshima, Viet Nam, Biafra, Lebanon, more recently Sarajevo, Somalia, Algeria and the rest.

All these things make me want to rebel even more. History is a dangerous place

and travelling through history is hard going; one would sometimes prefer not to know, not to understand but just to pass by—but that would be a form of cowardice. I am not laying down my arms. This rebellion can be developed and expressed through poetry. As Aimé Césaire said, poetry brings me to the heart of myself and of the world; after quoting that all-time giant of poetry I need say no more. The poet is by nature more of a rebel than a dreamer, or else his dream is reality in a cruder form.

■ ***To quote you one last time, the poet fights his war alone and in his own way.***

—That is true in a sense, because his whole life is solitude. In coming back to solitude I bring the wheel full circle, because this little world is alone, because when you love a woman you are alone, because you live your life and experience death alone, because when the feeling of loss comes upon you, you endure it alone. But perhaps solitude is, after all, the natural human condition. There is said to be something called a herd instinct: I am glad to have travelled and above all to have met people.

What is important is that the road we travel passes among other people. Although they raise weighty questions within you, other people at the same time provide you with fragmentary answers. Perhaps I am asking too much! I cannot say whether I have found *the* island, *the* woman, *the* land, but I cannot deny that I have come upon serendipitous fragments and experienced ineffable instants of all that I was in search of, which leads me to wonder whether the human adventure does not in fact consist in gathering up these fragments and instants as one gathers sticks to make a bundle of firewood. Human beings have this genius for fending off loneliness, exile and death by dressing up the passing moment as a miracle, as we did in childhood.

■ ***Is this, ultimately, what we should be looking for in your poetry?***

—Yes, but with a strong dose of caution. Let us not delude ourselves: everything begins and ends with death, and in order to "try to live", to disregard the only certainty—that death will come—I confront death with my words. It's not much, but at the same time it's a great deal, for we of the South know that words never decay. Death is a curse that comes upon us I know not how, and since I shall never know the answer I have chosen to turn it aside. In my latest poem, not yet published, I say that as a child I used to build a memory to nourish my sleep, and who could deny that sleep is a kind of death? Even then I refused to accept the state of non-being, of non-presence.

Since then I have talked a lot and peopled my own life and other people's lives with my sounds, sometimes coherent and sometimes incoherent. No matter. I did so and still do so to defer death, to confuse it. I disguise it so that it is no longer an absence. That is the source of my poetry. ■

THE BIRTHRIGHT OF HUMANITY

IN order to protect and implement human rights, we have a practical task to perform, that of securing wider acceptance of the international instruments adopted in this field by the United Nations, the International Labour Organisation, UNESCO and other institutions, so that the whole of humanity is covered by them.

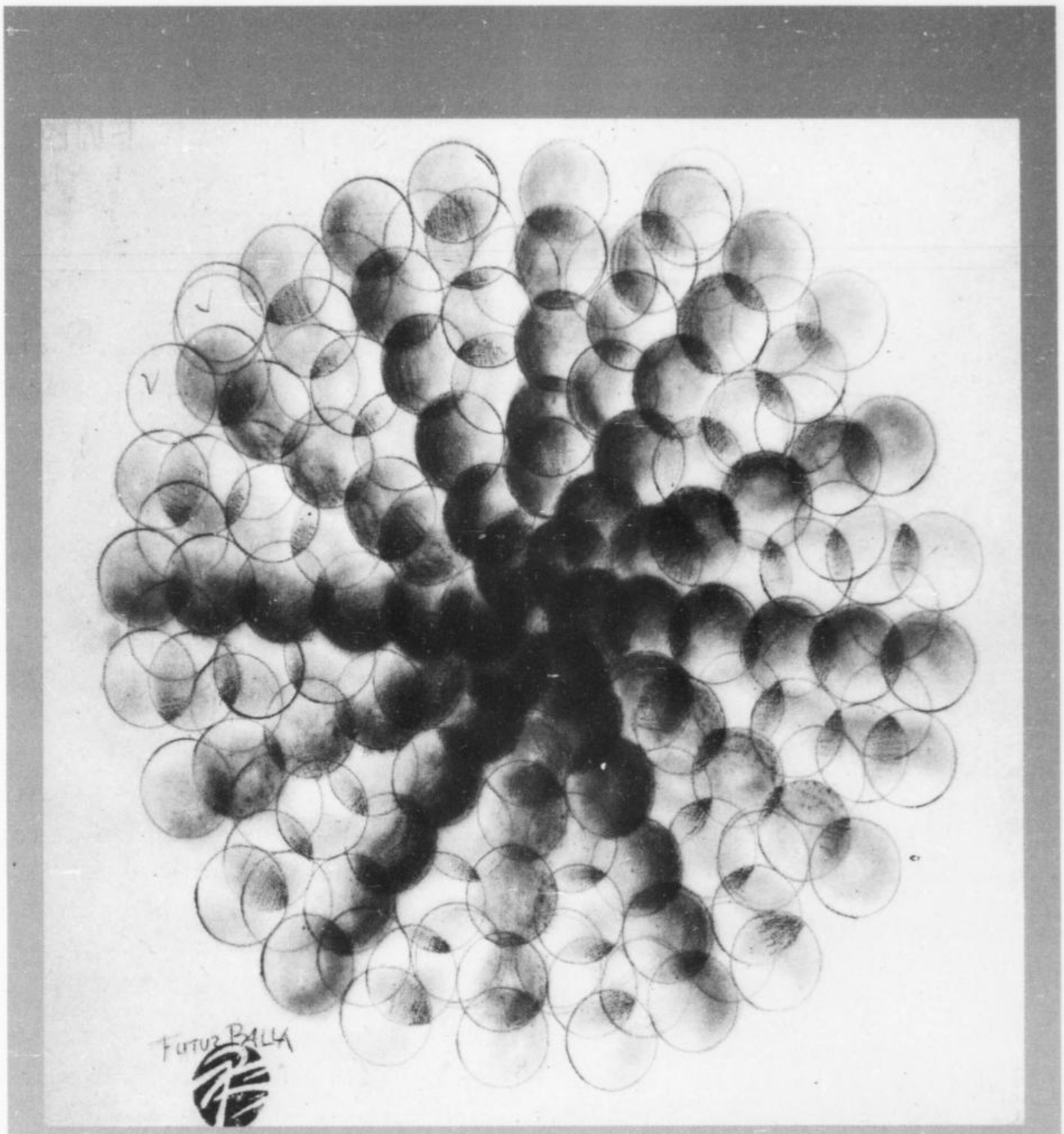
This practical, effective universality that we are striving to achieve is the reflection and corollary of another kind of universality that underpins it, the universality of the values enshrined in the Universal Declaration of Human Rights, the landmark text whose forty-fifth anniversary we celebrated in 1993. The universality of human rights: the words say so much and yet so little. Are we fully aware of the ethical truth summed up therein, that each and every human being has the same rights? Do we truly understand that each individual is both a unique being and the epitome of the species? Do we recognize, in our way of life and behaviour, the implications of the fact that human rights belong within the common heritage of humanity?

These rights are common to all because they belong to each and every one of us, universal because they transcend cultural differences. One may argue against their being uniformly applied to all cultures, to the extent that such an objection is part of a larger struggle to resist the creeping uniformity threatening to engulf the world. However, the values in whose name these rights are invoked correspond to aspirations inherent in human nature and are therefore indeed universal.

These rights have a collective dimension, in the sense that they may be claimed by individuals as members of a group, or when their enjoyment presupposes a social framework. In this connection, on the eve of the International Decade of the World's Indigenous People, the voice of those people must be given a hearing, must be heeded, and must bear its part in the democratic polyphony.

At the dawn of the third millennium, the concept of human rights—interactive, inseparable and indivisible—has broadened to encompass economic, social and cultural rights, civil and political rights, the right to a healthy environment, the right to human and sustainable development, and even the rights of future generations. We should welcome this continuing process of expansion, which is necessary for the full realization of these rights. ■

FEDERICO MAYOR
DIRECTOR-GENERAL OF UNESCO



This issue of the UNESCO Courier, *devoted to human rights, focuses on the proceedings and outcome of the World Conference on Human Rights convened by the United Nations and held in Vienna (Austria) from 14 to 25 June 1993. The Conference was attended by more than 7,000 people, including delegates from over 170 states and 800 non-governmental organizations. In the article below, its Secretary-General explains how, in spite of many differences of viewpoint, the principle of the universality of human rights was endorsed.*

The U-word

■ by Ibrahima Fall ■

Above, ***Iridescent copenetration*** **(1912-1913), drawing on paper by the Italian painter Giacomo Balla**

WHEN the United Nations World Conference on Human Rights adopted the Vienna Declaration and Programme of Action on 25 June 1993, it marked the culmination of a process that had lasted over two years, in the course of which the international community had woven a network of activity embracing all regions of the world and an impressive range of sectors of society.

The genesis of the Conference can be traced to the end of the Cold War when, in the new spirit of optimism and renewed confidence in the United Nations, the international community considered that the time was appropriate to hold a world meeting that would review and assess the progress made in the field of human rights since the adoption of the Universal Declaration in 1948, and identify obstacles and ways in which they could be overcome to facilitate progress in this area.

The World Conference on Human Rights thus marked a watershed in the consideration of human rights. It helped to soften the antagonistic overtones of the North-South divide, as well as narrow the gap between what initially appeared to be two mutually irreconcilable positions.

The process of reconciliation was not easy. The North-South differences which replaced the East-West confrontation ranged from such diverse questions as universality versus regional particularity, the interlinkage and indivisibility of all human rights, the interdependence between the right to development and civil and political rights, and the threat of terrorism to the enjoyment of civil and political rights. Other controversial areas included implementation machinery, monitoring, prevention and the strengthening of United Nations mechanisms in the field of human rights.

Among the more important achievements of the Conference was the reinforcement of the universality of human rights. The Universal Declaration adopted by the General Assembly of the United Nations in 1948 was globally recognized as "a common standard of achievements for all peoples and all nations". During the 1960s, however, with the collapse of colonialism in Asia and Africa, this notion was challenged by many Afro-Asian thinkers and philosophers on the grounds that since the Universal Declaration had been adopted before the onset of decolonization, universally recognized human rights standards needed modification in order to take into account differing religious, historical and cultural values. However, human rights activists and thinkers feared that any such modification, if accepted, and based on differing religious and cultural norms, would undermine internationally recognized human rights norms and standards. In other words, the post-colonial period witnessed a deadlock. There was an avoidance of debate on this question by metropolitan scholars and intellectuals, and consequent suspicion on the part of formerly colonized peoples.

The preparatory process of the World Conference, including the regional meetings for Africa, Latin America and the Caribbean, and Asia, adopted different formulations on this question. The most interesting formulation, and certainly the most far-reaching, was contained in the Bangkok Declaration (see page 44), which states that while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, "bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds."

During the May 1993 election in Cambodia, held under United Nations supervision, a crowd in Phnom Penh follows the results as they are posted up.

A spirit of compromise

The Tunis Declaration, on the other hand (see page 42), was more positively worded when it stated that "The universal nature of human rights is beyond question; their protection and promotion are the duty of all States, regardless of their political, economic or cultural systems."

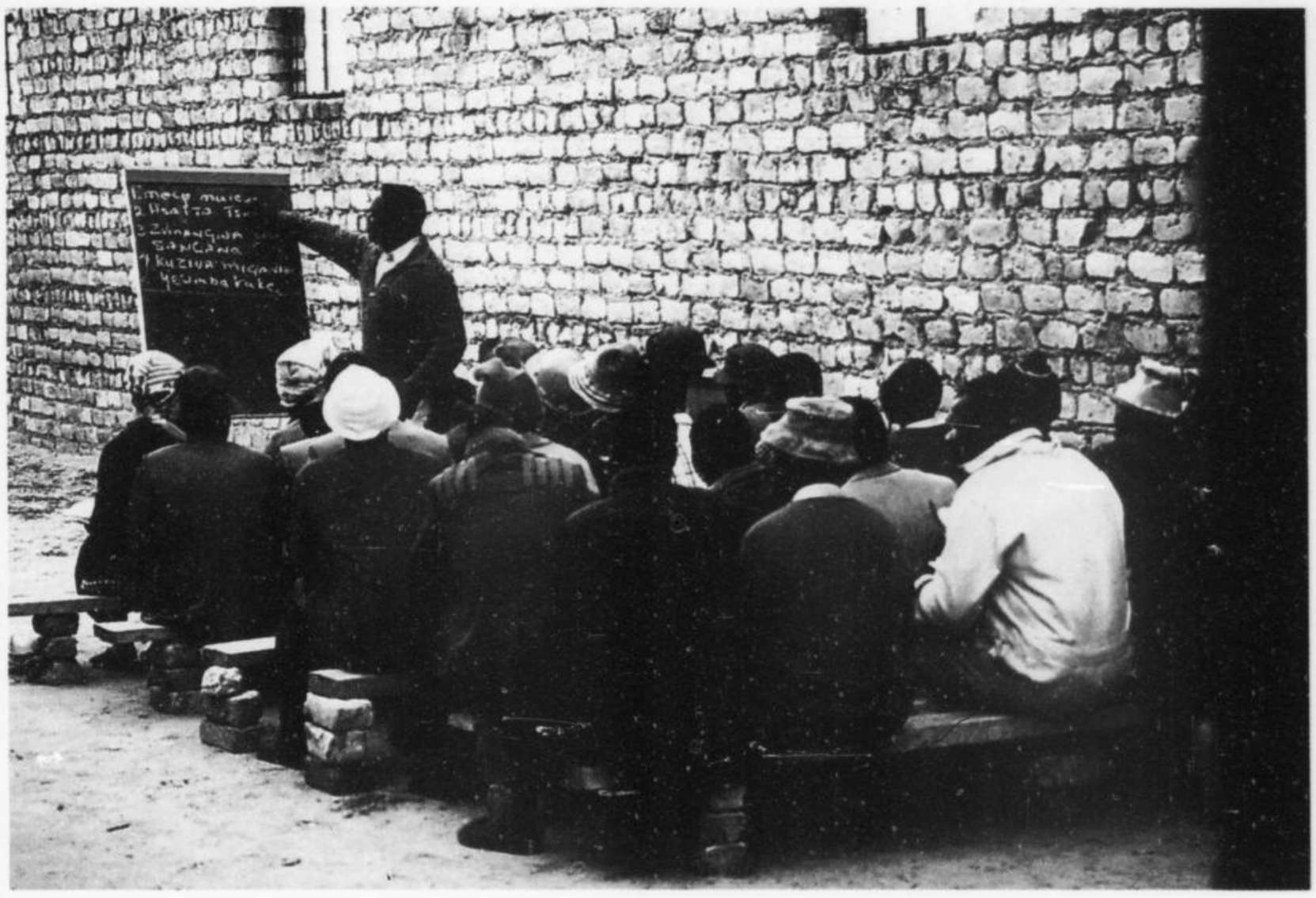
The San José Declaration (see page 43) followed a middle path when it stated: "Reaffirming that our countries represent a broad grouping of nations sharing common roots within a rich cultural heritage based on a combination of various peoples, religions and races, and that our roots unite us in the search for collective solutions to present problems. . . ."

The Declaration of Asian non-governmental organizations, also made at Bangkok, put forward another possibility of reconciliation: "We can learn from different cultures in a pluralistic perspective and draw lessons from the humanity of these cultures to deepen respect for human rights. . . . Universal human rights standards are rooted in many cultures. . . . While advocating cultural pluralism, those cultural practices which derogate from universally accepted human rights, including women's rights, must not be tolerated. . . ."

Right through the preparatory process, this question dominated the debate, both of Member States and non-governmental organizations. Notably the Western European and Others Group hoped for a strong reaffirmation of universal values as enshrined in the Universal Declaration. Failure to reaffirm these values would have implied that the World Conference had not succeeded in one of its primary objectives—to enhance and strengthen the United Nations human rights programme, and to move human rights to the centre stage of all United Nations activities.

I was convinced that a satisfactory negotiated outcome of the paragraph on universality would

IBRAHIMA FALL,
of Senegal, is the United Nations Assistant Secretary-General for Human Rights and head of the UN Centre for Human Rights, which is based at the United Nations Office in Geneva. He was Secretary-General of the World Conference on Human Rights in Vienna.



facilitate a breakthrough in the final document of the Conference (see page 40). Accordingly, in the working paper prepared by the Secretariat containing elements for inclusion in the draft final document, a compromise formulation was included as follows: "All human rights are universal, indivisible and interdependent. The universality of civil, cultural, economic, political and social rights requires that every state throughout the world recognize, protect, respect and promote internationally recognized human rights standards, whatever the state's level of economic or political development. Regional and national specificities must contribute to the strengthening of the universality of human rights. The exercise of any human right must not be denied because the full enjoyment of other rights has not been achieved. It is the duty of states, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."

However, despite many informal consultations, the paragraph remained in square brackets. The principal difficulties experienced by the Western Group was the insistence by the Asian Group that all human rights are interrelated and interdependent and that regional and national specificities must be taken into account to strengthen the universality of human rights.

For this reason, as Secretary-General of the World Conference, I convened consultations at ambassadorial level to consider, *inter alia*, consensual language on this question.

This was, in fact, one of the first paragraphs to be adopted by consensus in the Drafting Committee in Vienna. The formulation contained in paragraph 5 of the Vienna Declaration is positive and forward-looking. It reads as follows: "All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms."

The relative ease with which this formulation was accepted in a spirit of compromise demonstrates once again my conviction that all issues of human rights, when addressed with compassion and understanding ultimately result in a global consensus. ■

In a Zimbabwe village, a member of an itinerant volunteer team of human rights campaigners explains to farmers their basic rights.

In a remote village of Yunnan, southern China, a woman belonging to the Hani minority is an object of curiosity to the Han-majority villagers.

NGOs: the fight to be heard

■ by Sophie Bessis ■

The non-governmental organizations were a force to be reckoned with at Vienna

INTERNATIONAL conferences are not what they used to be. The atmosphere in which they once used to meet, with diplomats coming together to settle the affairs of the world away from prying eyes, is a thing of the past. The veterans of past UN jamborees who met at the World Conference on Human Rights had to reconcile themselves to rubbing shoulders with new players they were not used to consorting with.

Dishevelled demonstrators carrying placards daily crowded the forecourt of the Austria Center, venue of the conference, to defend the rights of those we never hear about: yellow-robed Buddhist priests demanding the right to practise their religion; American Indians in colourful headdresses proclaiming their existence to the world; women from every land demanding at last to be treated like human beings; associations of street-children; peasants, Kurds, Bosnians—the whole of humanity in its richness and variety had foregathered for the occasion in the Austrian capital.

The presence en masse of all kinds of non-governmental organizations (NGOs) on the very spot where an official conference was taking place not only lent colour to the occasion but marked a new era in the history of the United Nations and international relations. For non-governmental organizations to take part in meetings of this kind is of course nothing new: they had earlier made their voices heard loud and clear at the Earth Summit in Rio de Janeiro in June 1992. There, however, nearly twenty-five miles separated the official conference from the NGOs' forum. In Vienna, government representatives and the spokespersons of ordinary citizens worked in the same building. This juxtaposition is surely more than just a coincidence: it may even mean that from now on nothing can be done without the latter.

Never before had organizations representing civil society been so closely associated with the preparations for a world conference. They were present at all the preliminary regional sessions, and managed to voice the views of the walk-on players who are all too often muzzled. On the traditional "Prepcoms", the preparatory commissions set up to compile the working papers, they fought tooth and nail for their existence to be recognized and for the right to speak. At Vienna they at last showed their determination to stop being bit-part players and to have real speaking parts in discussions with government representatives.

A voice for civil society

The theme of human rights certainly lent itself thereto better than any other, given that for decades the only protests against the high-handedness of dictatorial regimes and the hypocrisy of the old democracies, always ready to point the finger at their enemies and connive at the turpitude of their allies, had come from associations such as national human rights leagues and international organizations campaigning against the systematic violation of human rights.

If they had decided to exclude them, the organizers would have disqualified themselves in the eyes of world public opinion at the outset. They therefore opted to let them join in their proceedings, over the objections of those most strongly opposed to their participation.

This massive presence of NGOs at Vienna was certainly not the outcome of a consensus among the UN Member States, many of whom clashed with all comers in an attempt to deny the podium to those who had come to denounce dictatorships and massacres, pinpoint those responsible and secure a hearing for their myriad victims. So there were battles first in the "Prepcoms" and then at Vienna itself, where much of the discussion consisted of wrangling about the place to be allotted to the NGOs. Between their demands and the obstacles erected by certain states that carry weight in the South, the Conference secretariat sought tirelessly to reach compromises in their favour.

SOPHIE BESSIS,
who has Tunisian and French nationality, is a historian and journalist. A contributor to several French newspapers and magazines, she has written mainly on the economic problems of the Third World, development problems and the Maghreb. Among her recent publications are *Les enfants du Sahel* (L'Harmattan, Paris, 1992) and, with Souhayr Belhassen, *Femmes du Maghreb, l'enjeu* (J.-C. Lattès, Paris, 1992).

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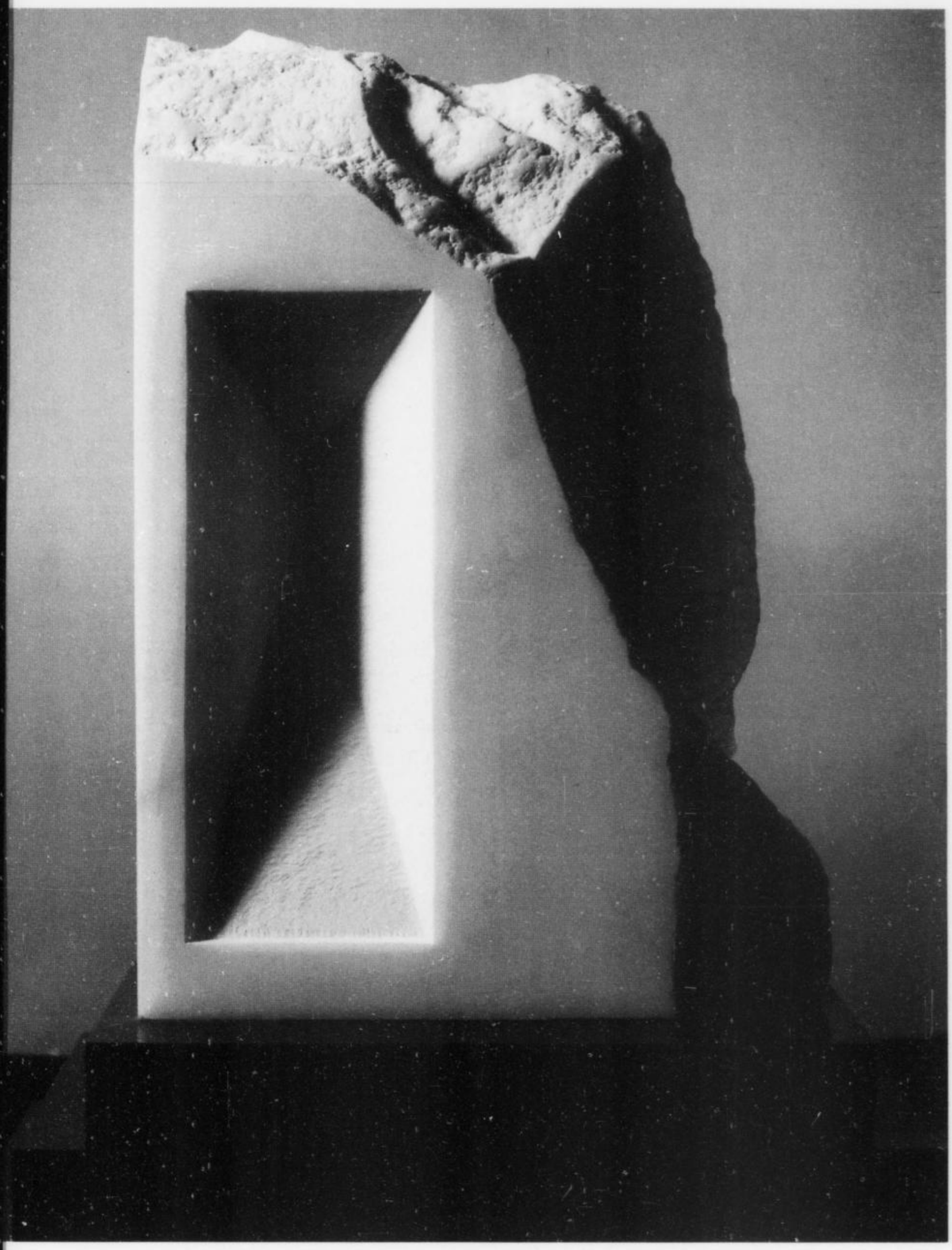

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Their presence nevertheless had a considerable impact. By pulling the official delegates up every time the discussions showed signs of drifting off into party-political byways, they reduced—though they could not eliminate—the danger of the human rights theme being used as a means for other ends. By attacking dictatorships and refusing to underwrite authoritarian regimes

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on the pretext of development needs, the NGOs of the South showed that the South is anything but monolithic.

This was perhaps one of the most striking revelations to come out of Vienna. It had of course been known for some years that the so-called Third World had changed, but it is now clear for all to see that it is split two ways between the champions of authoritarianism—who defend their respective regimes on grounds of religious or cultural identity or economic constraints—and the proponents of the idea of democracy, which for them is a universal.

Many discussions were of course coloured by the North-South divisions, but contrary to expectations they did not set the agenda of a conference that had other issues on its mind. The most dictatorial states of the South had to contend not only with the old democracies of the North but also with the representatives of their own societies, who came to tell the world that, to put it mildly, they did not share their rulers' hostility to the idea of human rights.

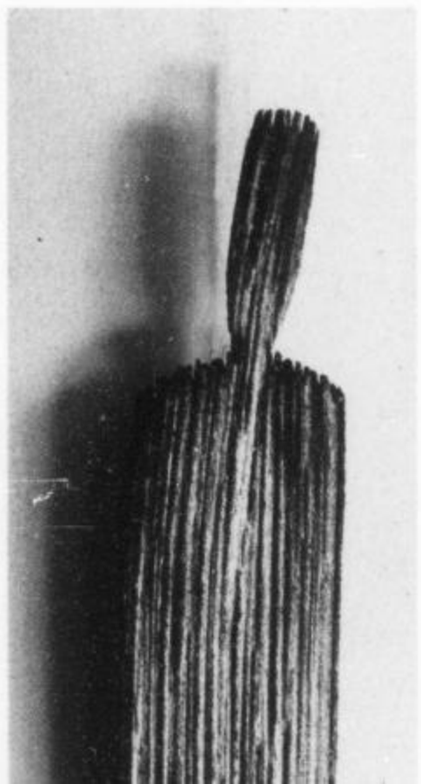
Having by their continual presence compelled the participating states to take sides with or against them, the NGOs also showed that ways of exercising power are tending to diversify in the South. While most representatives from Asia and the Arab Muslim world sought to justify the old authoritarian attitudes, the bulk of African and South American states seem to

This is a crucial matter, and the NGOs are quite determined to fight in future for this right to be explicitly recognized, for their entrance upon the UN scene—albeit for the moment only in a modest capacity—also means that governments have begun to lose their monopoly of the right to lay down the law, and that having half-opened the door to them the UN will have difficulty in shutting it again. Although at Vienna the NGOs did not take part directly in the drafting of the final declaration, there seems little doubt that at future international conferences they will try, and probably succeed, in storming other bastions.

One last and not inconsiderable result of their presence in hundreds in the Austrian capital is that the international community, having resigned itself to granting observer status at the UN Economic and Social Council to some 200 of the major transnational NGOs such as the International Commission of Jurists, the International Human Rights Federation and Amnesty International, can no longer ignore the existence and the energy of thousands of regional, national and local associations determined to press their case.

The representatives of oppressed minorities, of women, and of all those living on the fringes of society played an active part in the NGOs' Forum which met for three days before the opening of the official conference, and by

***Femme* (1992), mixed media. Sculpture by Anne Delfieu.**



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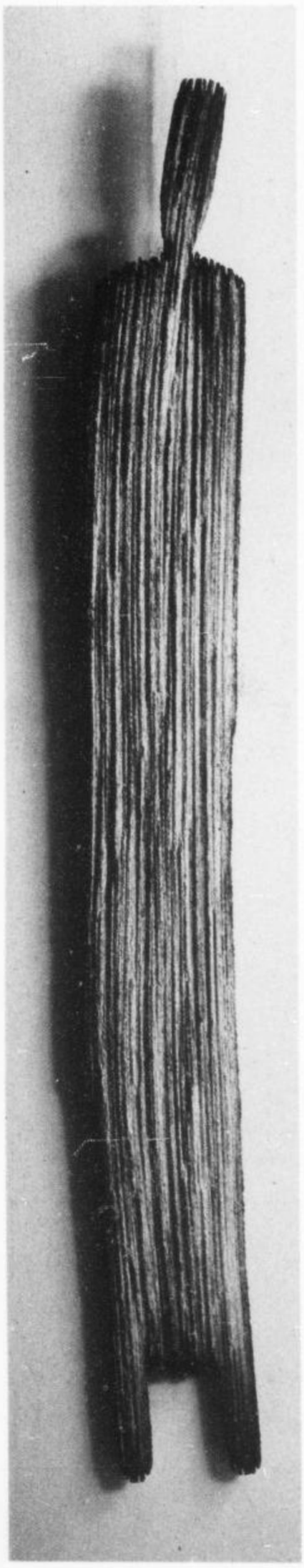

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The NGOs thus emerged as both the agents and the exponents of the new divisions that are redrawing the international political landscape. Their fierce struggle for unequivocal acceptance of the proposition that human rights are universal and indivisible overcame the resistance of those defending special interests, and the collective pressure exerted in the drafting committee ensured that on this point at least the final document was clear enough.

A watchdog role

As to their role, this document mentions their contribution to the discussion, acclaims their courage and their work on the ground, and calls on governments to collaborate with them more closely. Some people sneered at what they saw here as a belated tribute paid by vice to virtue, but behind the careful wording, calculated, in accordance with UN practice, to offend no-one, may be seen an implicit recognition that citizens' organizations have a right to exercise a watchdog role in regard to the behaviour of governments.

This is a crucial matter, and the NGOs are quite determined to fight in future for this right to be explicitly recognized, for their entrance upon the UN scene—albeit for the moment only in a modest capacity—also means that governments have begun to lose their monopoly of the right to lay down the law, and that having half-opened the door to them the UN will have difficulty in shutting it again. Although at Vienna the NGOs did not take part directly in the drafting of the final declaration, there seems little doubt that at future international conferences they will try, and probably succeed, in storming other bastions.

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The representatives of oppressed minorities, of women, and of all those living on the fringes of society played an active part in the NGOs' Forum which met for three days before the opening of the official conference, and by main force gained the right to be present thereat. The Conference thus brought to light the extraordinary variety of citizens' movements, and the diversity of their campaigns. The word "cacophony" was applied to them, and it is true that the Forum was the scene of some Homeric battles, but this actually represents an emerging realignment in the world of the NGOs. Their success in bursting on to the international stage is leading to a distribution of tasks among themselves, a development that some NGOs have already taken into account.

Many NGOs were disappointed at the meagre results of a conference that went no further than restating a few principles, without providing the necessary clout to implement them. They all proclaimed that their struggles would not slacken until the rule of law prevailed over brute force. They are under no illusions: they know that hard battles have still to be fought. In gradually taking by storm the UN fortress, some bastions of which they managed to conquer at Vienna, they hope above all that their members will no longer suffer in silence, and that the United Nations will respond to their demands less timidly than in the past. ■

One and indivisible

The dangers of an à la carte approach to human rights

■ by Antoine Bernard ■

SINCE the adoption in 1948 of the Universal Declaration of Human Rights, the principle of the indivisibility of the rights of the individual has become, along with the principle of universality, the pivot of the present international system for the protection of such rights.

Indivisibility means that the corpus of international standards forms a coherent whole, of which the different parts are indissociable in their conception and their application.

Its *raison d'être* is, as set forth in Article 28 of the Declaration, that: "Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized".

Indivisibility means first and foremost a refusal to accept the view that certain rights should take precedence over others, a view that would allow the most pernicious ideologies, whether spiritual or temporal, to go about their abject business. It also insists that there can be neither development without democracy nor democracy without development. It is a way of preventing human rights from becoming an empty shell, leaving people without the economic, social, cultural, civil and political means to enable them to live in dignity.

Although the principle of indivisibility has been constantly reaffirmed by the successive resolutions and other international instruments adopted by UN bodies over a period of decades, it has never been given a more precise definition in international law.

The obvious explanation for this lack of precision is to be found in the divergences, within a pluralistic, imbalanced and even profoundly

Above, meeting of women in Ghana to discuss the development of their village.

antagonistic international society, in the political, economic and cultural interests for which the principle of indivisibility is both the instrument and the point at issue.

The World Conference on Human Rights confirmed that this is the case, since conflicts of interests arose both during the two years of its preparation and over its final declaration, which turned out to be a lukewarm document. The principle of the indivisibility of individual rights was reaffirmed, but in terms that leave scope for the restrictive interpretations of those who uphold so-called "religious and cultural relativism". On the other hand, the sanction given to the right to development provides grounds for hoping that the United Nations family will take a greater interest in the protection of economic and social rights.

A single human community

Some governments launched an out-and-out offensive against the indivisibility principle, seeing the opening of Pandora's box in Vienna as an excellent opportunity to justify supposedly divinely inspired practices and to release themselves from the obligation to respect international principles that are decidedly too much of a hindrance to their repressive activities.

On the opening day of the conference, UN Secretary-General Boutros Boutros Ghali in fact presented the double issue of indivisibility and cultural diversity as being the guest of honour at the conference and tried, with a diplomatic nod in that direction, to get round the obstacle. "While human rights are common to all members of the international community," he explained, "and each member of that community recognizes himself in them, each cultural epoch has its own special way of helping to implement them."

In any case, he continued, "human rights ... are not the lowest common denominator among all nations, but rather what I should like to describe as the 'irreducible human element', in other words, the quintessential values through which we affirm together that we are a single human community."

This was not a view shared by some governments of the South, which were unenthusiastic about accepting the existence of universal standards for the protection of human rights. These governments had some success at Vienna, starting with the reservations expressed regarding the principles of the indivisibility and universality of human rights. The elimination of the condemnation of religious extremism that had featured in the draft of the final declaration was another victory for them.

Although consensus was finally reached on the reaffirmation of the principle of indivisibility, its ambiguity threatens to legitimize attitudes that are sometimes far removed from the universal culture of human rights, and in par-

Workers on a Rwanda tea plantation wait to receive their pay.

ticular to give surreptitious endorsement to so-called "cultural relativism".

Development and solidarity

Respect for economic and social rights was another subject at the heart of the debate on the indivisibility of human rights.

Three years after the fall of the Berlin Wall, the Conference provided the countries of the South with an opportunity to raise their voices—in some cases not without ulterior motives—to demand that the international system direct its attention first and foremost to economic and social rights.

The reticence displayed by many Western countries in this regard in the run-up to the Conference suggested that a North-South confrontation might be on the cards. The demand made by some countries of the North for the indivisible application of human rights indeed appears hypocritical to the nations of the South, so long as the North remains indifferent to the huge problems caused by the pauperization of 80 per cent of the planet.

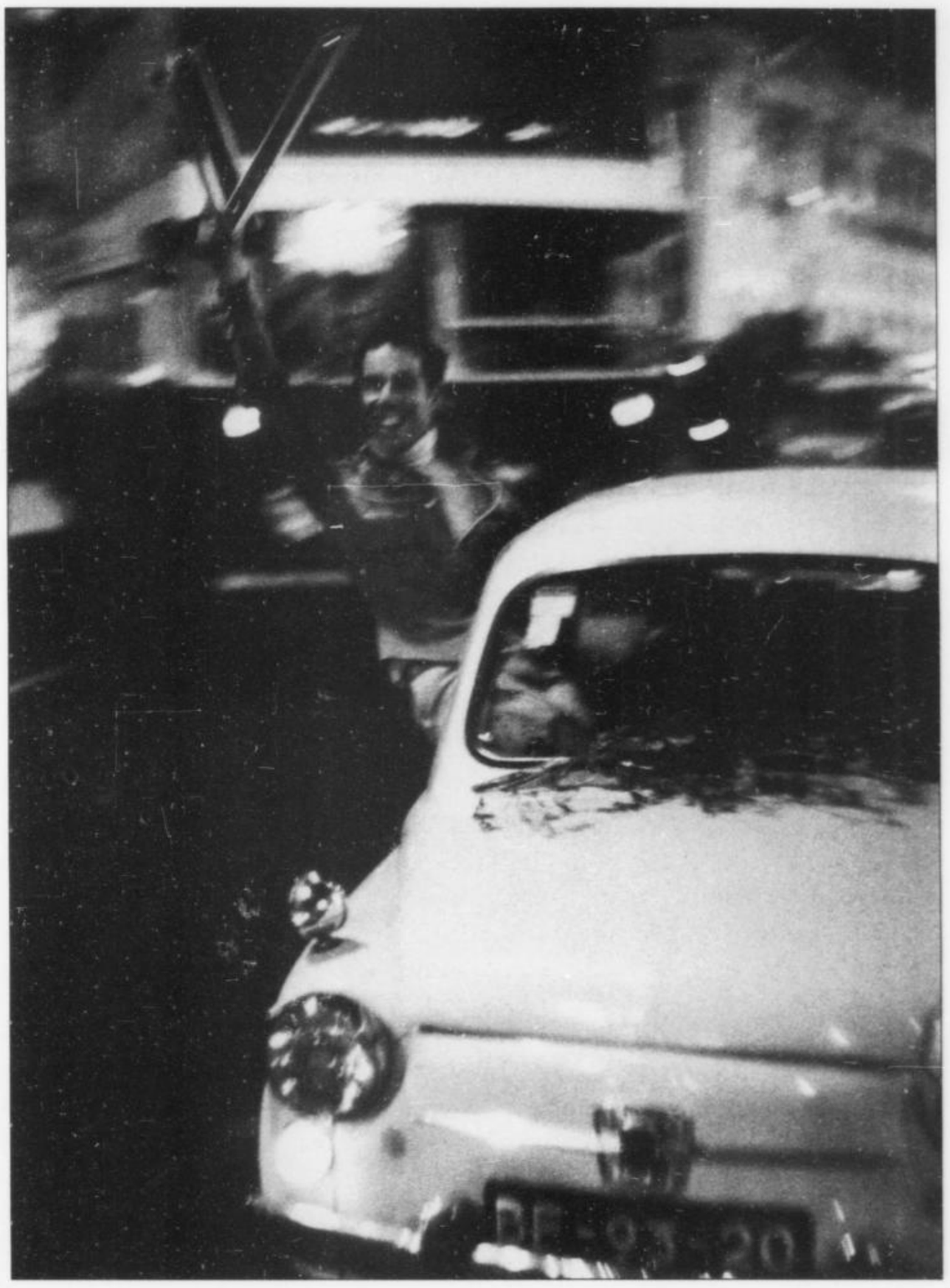
By insisting on the indivisibility of human rights without practising solidarity as a veritable duty, the Western powers ultimately make themselves accomplices of austerity policies that have dramatic social consequences and result in repressive regimes remaining in power.

Furthermore, the emergence of countervailing forces such as the many human rights organizations that have sprung up in the South in recent years is often—like the precipitate introduction of a multi-party system—no more than window dressing hiding rampant corruption among the political authorities.

In this context, the confirmation at Vienna of the right to development as a "universal and inalienable" human right (paragraph 10 of Section I of the Declaration) is evidence of a new awareness on the part of the Western countries, the United States in particular, since this was the first time they had recognized such a right. It in any case represents a step forward that must now be given substance.

To that end, it is imperative that several conditions be met: the rights of the individual must be scrupulously respected in the context of multilateral and bilateral aid; the debt crisis must be resolved; the right to a healthy environment must be respected; and a struggle must be waged against corruption and the fraudulent self-enrichment of those in power. In other words, the human being must be put back at the centre of the development process.

On the level of principles, the Vienna Declaration proclaims democracy, development and respect for human rights to be "interdependent and mutually reinforcing" (paragraph 8). It also stipulates that, in this context, "the lack of development may not be invoked to justify the abridgement of internationally recognized human rights" (paragraph 10).



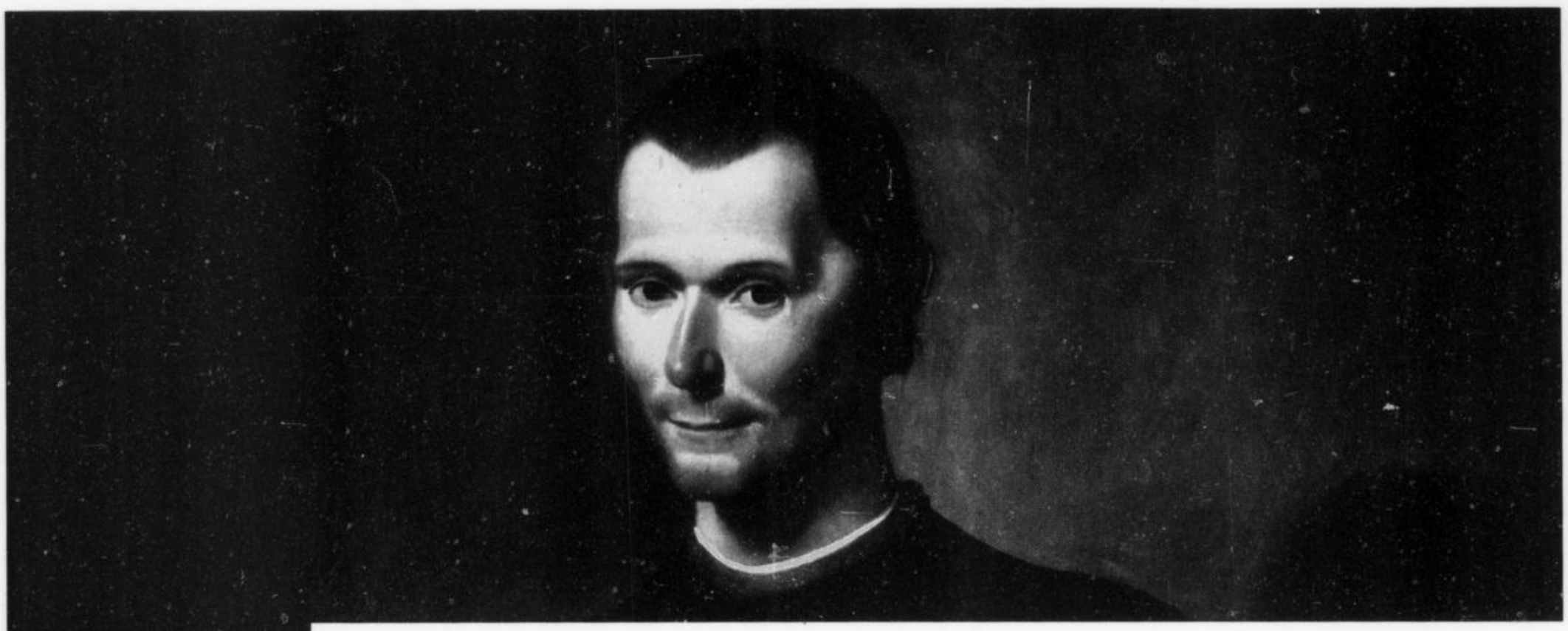
Street scene in Portugal, 1974, when the "Junta of National Salvation" came to power and put an end to the regime founded by António de Oliveira Salazar.

At the same time the Declaration calls upon the international community "to help alleviate the external debt burden of developing countries" (paragraph 12). It also reaffirms that "the least developed countries committed to the process of democratization and economic reforms, many of which are in Africa, should be supported" (paragraph 9), and it comes down against strings-attached development aid ("... the promotion and protection of human rights ... should be universal and conducted without conditions attached", paragraph 8).

Everyone was pleased that a consensus was reached on all these points and that the Vienna Conference therefore did not give rise to the North-South clash that the run-up had suggested might happen.

Let us not delude ourselves, however: each interest group got what it wanted out of the Conference, and only the exhaustive application of its—in fact very modest—Programme of Action will make it possible to tell whether it marks the start of a convergence of political wills in favour of respect for the right to development as a human right indissociable from the rest. ■

ANTOINE BERNARD,
of France, is executive secretary of the International Federation of Human Rights, an international non-governmental organization which has consultative status with the United Nations, UNESCO and the Council of Europe, and observer status with the African Commission on Human and Peoples' Rights.



Free speech—democracy's watchdog

■ by Helen Darbishire ■

Censorship as a threat to human rights

Portrait of Niccolo Machiavelli (detail) by Santi di Tito (1536-1603).

THE ancients, especially the Greeks and the Romans of the early Republic, wrote choice phrases in defence of the right to freedom of expression. Demosthenes, for example, declared that no greater calamity could befall a people than "the privation of free speech". But there is no evidence that, in even Greece's most libertarian periods, opinions could be expressed verbally or written with impunity. Plato relates how Socrates was punished by the freedom-loving Athenians for the crime of subversive utterances. And Plato himself was an exponent of censorship. "The poet shall compose nothing contrary to the ideas of the lawful, or just, or beautiful, or good, which are allowed in the state," he wrote. "Nor shall he be permitted to show his compositions to any private individual, until he shall have shown them to the appointed censors and guardians of the law, and they are satisfied with them."

Nevertheless, the fundamental nature of freedom of expression has been recognized by many societies throughout the ages. For instance, a fifteenth-century Kazakh law of the Steppes stated that you may chop off a man's head but you may not cut out his tongue. Such a philosophy is perhaps not so far removed from an English pamphleteer's *cri de coeur* of 1721 that "Where a man cannot call his tongue his own, he can scarce call anything his own."

Censorship, including self-censorship, was often regarded as an acceptable part of the process of free speech rather than its enemy. Machiavelli epitomized the attitudes of the Renaissance when he qualified the right of every man to "think all things, speak all things, write all things", by asserting that Princes should be talked of with "reserve and respect". And even John Milton, who in 1644 thundered in his acclaimed *Areopagitica*, "Give me liberty to know, to utter and to argue freely according to conscience, above all liberties", became Cromwell's official censor.

It was in the Enlightenment of the eighteenth century that tolerance, based on the idea that there is no such thing as an absolute truth, began to take hold. This gave rise to a belief in liberty and is best embodied in Voltaire's famous statement "I disapprove of what you say but I will defend to the death your right to say it."

Constitutional changes introducing new ideas of personal liberty often followed historical discontinuities such as civil wars or revolutions. In 1688, the year of the "glorious" revolution, the British parliament had enacted a "Bill of Rights" and the process reached its climax at the end of the eighteenth century, with the rebellion of Britain's American colonies and the French Revolution. In each case, the successful rebels saw merit in enshrining in one or more great texts—the Declaration of Independence and the Bill of Rights in America, the Declaration of the Rights of Man and of the Citizen in France—values which had inspired them in the struggle against their respective *anciens régimes*.

These texts showed a significant evolution in political philosophy. For the first time they set forth principles recognizable today as propositions of modern human rights law. The rights, including that of expression, were described as freedoms: they fell beyond the scope of regulation or interference by the state, whether through the enactment of law or otherwise. Many subsequent constitutions were modelled on these principles.

The role of technology

The battle for freedom of expression and information, unlike that for other rights, has been as closely tied to technological developments as to cultural changes—developments which provoked censorship as often as they advanced the cause of freedom. The invention of the printing press by Johann Gutenberg in Germany in 1440 immediately brought restrictions on dissemination of ideas in written form. In the English-speaking world it was not until about 1700 that the concept of a right to print had been established, and newspaper editors fought for another century to gain acceptance of the right to criticize.

A second revolution in communications began in the mid-nineteenth century with the invention of the telegraph and the electrification of communications which greatly increased the flow of information and within a few years spawned the first news agency (Associated Press in the United States). This revolution has continued during the twentieth century with the spread of radio and television, facsimile machines, computers and satellites. Through the airwaves and down telephone lines, individuals now have greater freedom than ever before to send and receive ideas and information. But at the same time there are greater possibilities for sophisticated control and manipulation of information.

State control of the mass media for war-mongering and racial propagandizing was a feature of the genocide and other massive human rights violations committed during the Second World War. In the aftermath of the war, freedom of expression was recognized by the countries represented at the founding of the United Nations as one of the fundamental democratic values necessary for the peaceful coexistence of nations. Thus it was given the highest status in the 1948 Universal Declaration of Human Rights by being included in the preamble as one of the four essential freedoms: "human beings shall enjoy freedom of speech and belief and freedom from fear and want." It is also set forth in Article 19 of the Declaration which states: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media regardless of frontiers."

Young resistance fighters in Prague at the time of the invasion of Czechoslovakia by Warsaw Pact troops in August 1968.

Expression: indivisible from other rights

Freedom of expression is a fundamental right which is indivisible from other human rights. In other words it is a right which is necessary for the enjoyment and protection of other rights. Without freedom of expression and access to information one cannot participate in national debate about government economic policies or gain the information vital to protect one's health; without free speech one cannot speak out against

violations such as torture, disappearances and extra-judicial executions.

At its most extreme, censorship threatens the right to life. Sometimes this is a direct threat when murder is used as a sanction against those who express their opinions. But there are many other ways in which censorship can kill. Millions of deaths from starvation have been linked to deliberate concealment of information. Denied a voice by repressive governments, the starving could not cry out to the world; deprived of information, the international community could not respond to their plight in adequate time to save lives. By contrast, in countries where a relatively free press regularly addresses the issue of food shortages, major famines have not arisen in recent years.

The right to health is also jeopardized by censorship. In some countries government interference with information about Aids, other sexually transmitted diseases and the benefits of using condoms is contributing to the sickness and early deaths of millions.

Protection of the environment is equally dependent on freedom of information and expression. Without information about environmental damage, such as the scale of rainforest depletion or toxic waste deposits, it is impossible to mount effective campaigns in defence of our natural heritage. Environmental protesters are often silenced, censored or even murdered.

There is now a widespread recognition that respect for civil and political rights is crucial to sustainable development and the advance of economic, social and cultural rights. Arguments by some governments that freedom of expression is a luxury to be granted once development has been achieved have been exposed for what they are: pretexts for retaining power and denying democracy. This recognition has yet to be translated into real support for the development of information systems: the development aid budgets of industrialized countries give no more than 0.4 per cent to information and communication.

'THE COMMUNALITY OF FREEDOM'

It is freedom of expression that guarantees the rights of individuals, minorities, the collective and the community. Any suggestion that freedom of expression is a luxury of the West insults the historic struggles of individuals and communities all over the world for the dignity and well-being of their kind, for social fulfilment, equality of opportunity, equitable sharing of resources, access to shelter, nourishment and health. Such claims are an attempt to diminish our humanity, to reduce us to marginal existence even within our own societies. It is a clear vote for the party of Power against the communality of Freedom.

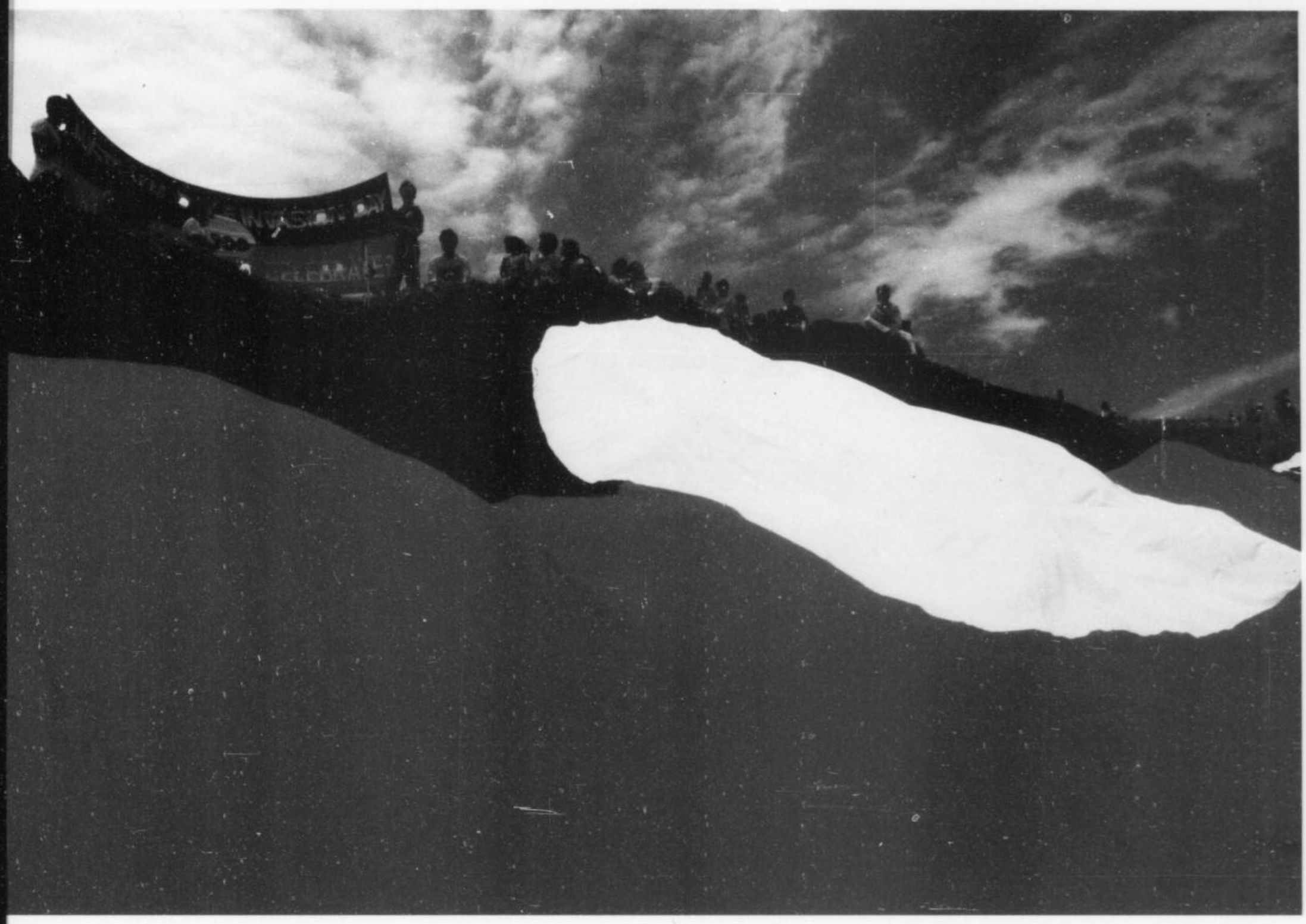
Wole Soyinka
Nigerian writer
Nobel laureate in literature

Duties and responsibilities

Freedom of expression is a universal right. Universality is often challenged by countries whose system of government is based on adherence

Opposite page, aborigines demonstrating on the occasion of the bicentenary (1988) of the British presence in Australia.

Below, Sandinistas demonstrating in Managua (Nicaragua) after their party's defeat at the polls.



to one particular religion or ideology, or which prefer to govern without having to take into account the will of the people. In such countries free speech, particularly for those whose opinions run counter to the dominant ideology, is the first right to be curtailed.

Indivisible, universal and fundamental, freedom of expression is not, however, an absolute right. This means that—unlike the rights to be free from torture, summary execution or prolonged arbitrary detention—the right to freedom of expression may be subjected to restrictions in certain narrowly defined circumstances. The International Covenant on Civil and Political Rights states that freedom of opinion is absolute and may not be interfered with, but freedom of expression and information "carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

a) For respect of the rights of others;

b) For the protection of national security or of public order (*ordre public*), or of public health or morals."

These conditions may appear to be suitably narrow, but in the words of a 1992 UN report on freedom of opinion and expression: "History teaches that restrictions have an unfortunate tendency to spread beyond the limits within which they were originally conceived." The task of defending individuals against governments who overstep the mark, or who flout international law completely, falls largely upon non-governmental organizations (NGOs).

In 1986 a new international NGO was founded with a mandate to defend victims of censorship and to promote freedom of expression. Taking its name from the relevant article of the Universal Declaration, ARTICLE 19, the International Centre Against Censorship, works to oppose both the practice of censorship and the laws which allow it to be imposed. One can campaign for the release of an individual or for the unbanning of a newspaper, but the threat of future censorship remains as long as the laws which allowed these actions to take place remain.

New trends in censorship

Campaigning for freedom of expression requires alertness to new forms of censorship, new trends in government repression. A recent example of this is the rise in sedition cases in several countries of

HELEN DARBISHIRE, of the United Kingdom, is Campaigns Officer for ARTICLE 19, the International Centre against Censorship, based in London. She is responsible for designing and implementing campaigns against violations of the right to freedom of expression at a national and international level.

the South which, often under international pressure, have been forced towards multi-party systems of government and to respect the rule of law. Increased use of criminal law to restrict freedom of expression, such as by charging journalists and opposition politicians with sedition, is a clear indication of the lack of commitment of many entrenched regimes to permit true democracy to take root. This trend is often paralleled by informal measures, including the use of hit squads to attack and intimidate government critics.

Another area which poses complex problems for anti-censorship organizations is the continuing rise of fundamentalism in many religions. The threat which fundamentalism poses to freedom of expression takes many forms, from political expression to the rights of women, including the right of access to jobs, to participate in the cultural and political life of their societies and to dress as they choose. But at the same time this threat must not be used to justify censorship in the name of the war against fundamentalism.

Gathering information about abuses of freedom of expression has been greatly aided by the creation in 1992 of an electronic network linking freedom of expression groups around the world. The International Freedom of Expression eXchange (IFEX), based in Toronto (Canada), uses electronic mail to disseminate information about censorship incidents often within hours, enabling rapid and co-ordinated protest actions. It is a clear example of information technology being used as a tool for for good in the fight against censorship.

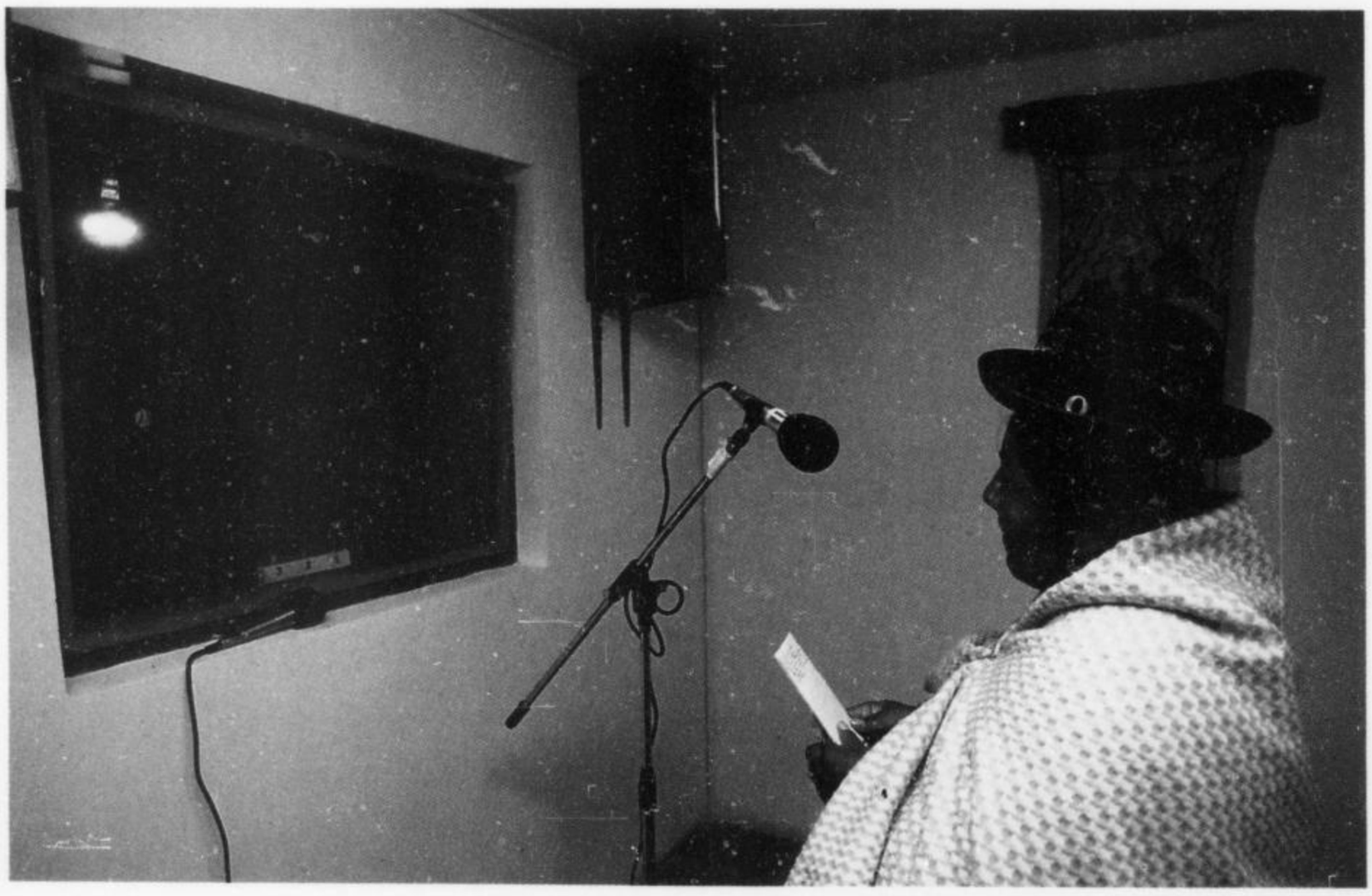
Two recent developments demonstrate an increasing recognition of the importance of the right to freedom of expression. One is the appointment by the UN in 1993 of a Special Rapporteur on Freedom of Expression whose mandate includes receiving complaints about violations from individuals and NGOs and raising these with the governments involved. The other is the declaration by the UN of 3 May each year as International Press Freedom Day. ■

UNESCO AND THE DEFENCE OF FREEDOM OF EXPRESSION

UNESCO is closely involved in programmes to promote the growth of communication systems in developing countries. In 1991 it held a conference in Namibia which brought together journalists from across the continent to discuss the legal and economic conditions necessary for an independent and pluralistic press. The "Windhoek Declaration" adopted by this conference has rapidly become a standard text for identifying the needs of media in developing countries.

A follow-up conference in Kazakhstan in 1992 brought together print and broadcast journalists from across Asia—from Turkey to Fiji. The "Alma Ata Declaration" resoundingly endorsed the principles of Windhoek and restated the belief that the development of free and independent means of expression is vital to the building of democracy.

The United Nations has declared 3 May—the anniversary of the Windhoek Declaration—as International Press Freedom Day. It is an annual reminder of the central role the media play in promoting and protecting other human rights. ■



Recording studio of Radio Pachamama, an Aymara broadcasting station in La Paz (Bolivia).

GREENWATCH

THE UNESCO COURIER — MARCH 1994

SMALL ISLANDS: DREAMS AND REALITIES

BY FRANCE BEQUETTE

IN Chinese mythology, heaven is represented as a group of rocky islands where the immortals lead a blissful existence, and in many other traditions—in India, Cambodia, Japan, Ireland and Britain, among the Celts and the ancient Greeks—islands were regarded as paradise. In his Works and Days, Hesiod wrote: "There, on the Islands of the Blessed, by the edge of the turbulent depths of the Ocean, with carefree hearts live the heroes favoured by fortune, for whom the fertile earth thrice yearly brings forth sweet and abundant harvests."

Although islands are still thought of as ideal places to spend a holiday, the reality is often less idyllic. In 1920, the League of Nations refused to accept as members what it referred to as the "Lilliputian" states, most of

Above, phosphate mining on the island of Nauru in the Pacific.

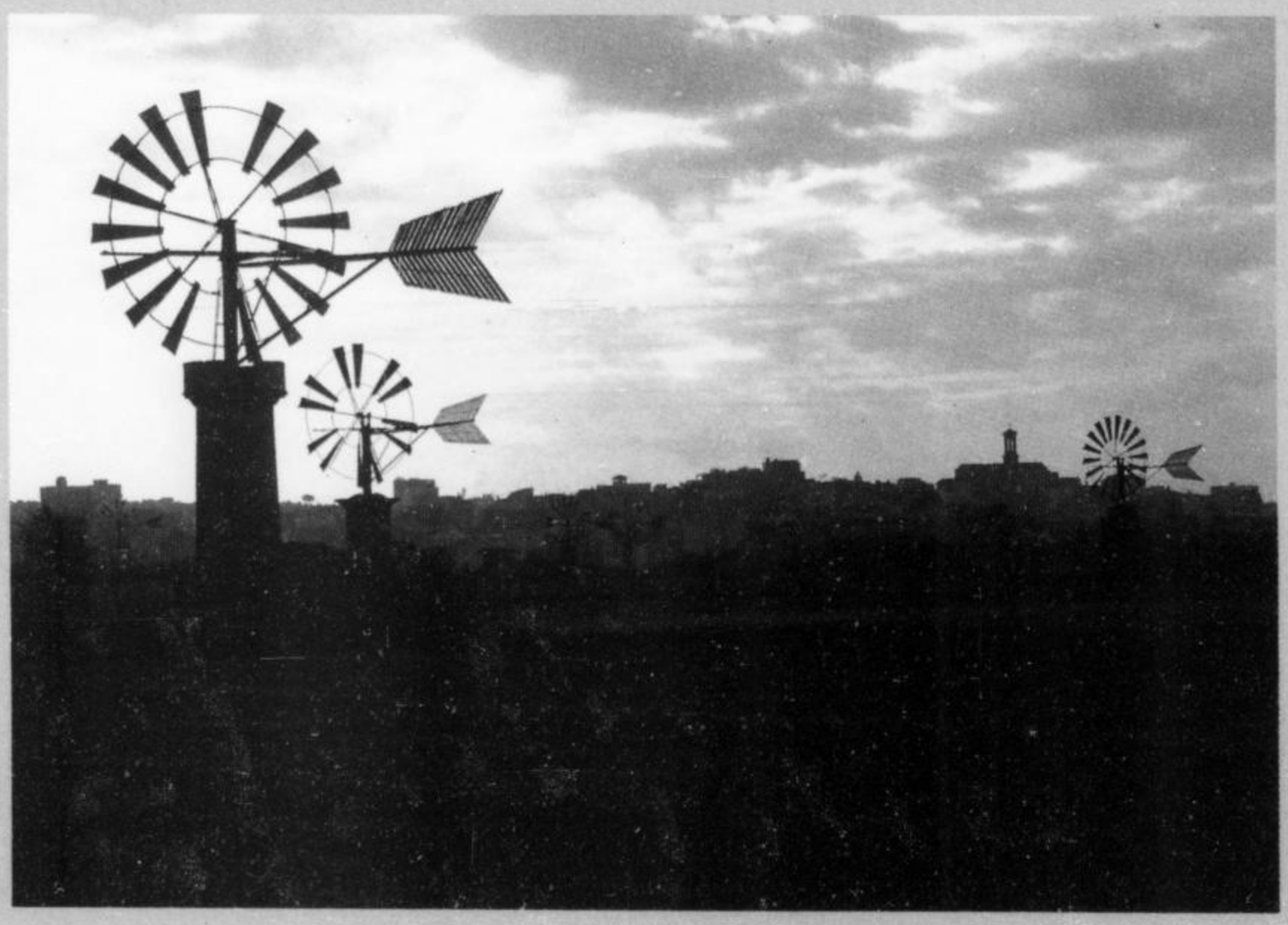
SMALL ISLANDS: DREAMS AND REALITIES

which were islands. Seventy-two years later, at the United Nations World Conference on Environment and Development in Rio de Janeiro, islands were in the forefront of attention and were the subject of many studies, meetings and development projects. As early as 1973, UNESCO organized its first meeting of experts on island ecosystems, in the framework of its Man and the Biosphere (MAB) programme. In 1989, it helped to set up a nongovernmental organization, the International Scientific Council for Island Development (INSULA), whose aim is to promote the sustainable development of small islands all over the world.

WHAT IS A "SMALL" ISLAND?

Various attempts have been made to answer the question, by no means an easy one, as to what "small" means in this context. MAB considers an island small when its area is less than 10,000 sq. km. and its population less than 500,000, but all small islands, wherever they may be and whether they are independent or linked in some form of association with larger countries, have to deal with the same issues: water, energy, fisheries, agriculture, the management of coastal zones, waste disposal, forestry, wildlife and tourism. Their very isolation is at the root of their problems—limited sources of revenue, insufficient exports or shortage of raw materials. While technological progress may bring prosperity, it can also contribute to their marginalization. Mauritius, for instance, which was an ideal port of call for sailing ships plying between Europe and Asia until the nineteenth century, lost its privileged status with the opening of the Suez Canal and more especially with the advent of air travel, although it was later able to find alternative sources of development. When landing strips are not big enough for jet aircraft and there are no deepwater harbours for today's cargo vessels, it becomes impossible for small islands to procure the heavy capital goods needed for the major infrastructure projects that will draw in business. Some islands are so small that they lack the institutions to train their work force, the materials needed by industry, the possibility of negotiating political or trade agreements or the means to send representatives to defend their interests in international forums. On the other hand, some isolated territories, overlooked by the mass media, are managing to preserve their cultural identity and their natural environment. Island status nevertheless calls for a specific approach fully justifying the attention now being given to it.

Windmills at Algaida in Majorca, the largest of the Balearic Islands (Spain).



All the experts agree that the major problem facing small islands, especially those in the Mediterranean whose population may double in the tourist season, is that of fresh water supplies and waste disposal. Very few of them have lakes or permanent watercourses. Pockets of fresh water (also known as Ghyben-Herzberg lenses) provide only limited resources. The Mediterranean island of Malta, to take one example, consists of a slab of porous limestone and its groundwater runs off into the sea. As the long dry season coincides with the tourist season, around ten million cubic metres of sea water per year have to be treated by means of extremely expensive desalination plants. The islands of Elba (Italy) and Nueva Tabarca (Spain) are linked to mainland water-supply systems by undersea pipelines (some offshore islands receive electricity via underwater power cables), while some of the small Greek islands are supplied by tankers. Louis Brigand, of the Institut Français de Géo-architecture, writes in *Les îles en Mediterranée* ("The Mediterranean islands"), one of a series of booklets covering various aspects of the "Blue Plan" (a project setting out different scenarios for the future of the Mediterranean) that the characteristics of smaller islands are such that they call for an original energy policy, their small populations and limited requirements inclining them towards a varied mix of alternative energy resources—wind power for pumping up groundwater, solar energy, geothermal energy in the case of volcanic islands, imported fossil fuels, wood or biogas—and he adds that ability to solve the problem of water and power supplies will be a decisive factor for the future in terms both of development and of environment.

DISASTROUS DEFORESTATION

The policies adopted have not, unfortunately, always been wise ones. The overuse of timber for firewood or for boat-building and woodland clearance for farming has often resulted in disastrous deforestation, as has happened on Easter Island and in Haiti and the Cape Verde islands, leaving the denuded land a prey to erosion. Western Samoa nevertheless recently took the risky step of selling off timber extraction rights to foreign interests. Moreover, though vegetation conserves water and also protects the soil, some deep-rooting crops such as the coconut palm can exhaust groundwater, and that at a time when copra, like cane sugar, is harder and harder to sell. These two so-called cash

Quayside scene in Malé, main island and capital of the Maldives archipelago (Indian Ocean).

crops have often, in the tropics, taken the place of food crops, to the detriment of the inhabitants' food supplies. An extreme case of this phenomenon is provided by São Tomé and Principe, where it was long forbidden to grow anything but cacao. Meanwhile, the inhabitants of the Pacific island of Nauru have literally destroyed their island by the overextraction of phosphate; having made their fortunes, they now have to find somewhere else to live, but where? Jamaicans spend a good part of their income on buying their national dish, cod—a fish caught in cold waters. There are rich fishing grounds around Kiribati, but the government has leased the fishing rights to Russia, while the local fishermen pay a fortune for tinned sardines!

KIRIBATI, A TV-FREE ZONE

This archipelago, one of the islands of which (Christmas Island) was used by Britain and the United States for nuclear tests from 1945 to 1948, was offered a complete television network in exchange for the right to dump nuclear waste in its territorial waters . . . but is still luckily without television. The disposal of household garbage and industrial waste, imported or otherwise, is a serious problem for islands. Shortage of space means that sewers and disposal sites are often too near to drinking-water reservoirs. Fertilizers, pesticides and hydrocarbons infiltrate coral atolls and limestone, and can also contaminate coastal waters. The situation is even worse when population density is increased by an influx of tourists. But who can resist the lure of foreign-currency income from holidaymakers looking for a change of scenery? Many islands have suffered the consequences.

Is there any way of preventing coastlines from being smothered in concrete, of safeguarding the islands' identities, of preserving the true worth of local cultures and preventing the indigenous population from being drawn into a master-servant relationship with the tourists? The solution entails the protection of sites and the promotion of cultural tourism and ecotourism. At its Member States' request, UNESCO has given biosphere reserve status to a number of islands, including Lanzarote (Canaries), the Colón (Galapagos) Archipelago, the Taiaro atoll (French Polynesia), Hawaii, and Yakushima (Japan). The Galapagos Islands have also been placed on the World Heritage List. The Darwin Foundation, which has been set up there, is making efforts to protect the islands' flora and fauna, and tourism is strictly regulated so as not to disturb the native wildlife.

Could all these positive measures encouraged by UNESCO nevertheless be cancelled out by the global warming that is forecast by some climatologists? Will low-lying islands be engulfed as the ice-caps melt? Although the global warming hypothesis is not without its critics, the Government of the Maldives has already taken preventive measures, putting down concrete blocks and building concrete sea walls to protect the most exposed parts of the coastline. Let us hope the international community will rally to the defence of islands, so that they may remain the abode of the blessed. ■

FRANCE BEQUETTE
is a Franco-American journalist specializing in environmental questions. Since 1985 she has been associated with the WANAD-UNESCO training programme for African news-agency journalists.

A HAPPY MARRIAGE IN THE TILAPIA FAMILY

Tilapias, a species of freshwater fish orginating from Africa, are now found all over the world. Nicknamed "water chickens", they are easily fed, grow quickly, are disease-resistant and good to eat. The International Centre for Living Aquatic Resources Management, based in the Philippines, has set up a genetic improvement programme for the species. As excessive inbreeding among Asian Tilapia tends to cause degeneration, genetic material is being brought in from Africa for breeding purposes—yet more proof of the need to preserve indigenous breeds and the resources of biodiversity. ■

FLOWER POWER THREATENS WATER SUPPLIES

The export flower industry has invaded the agricultural plain around Funza, a town west of Bogotá, Colombia, drawing thousands of people in search of work. The first flower company moved in 22 years ago, women workers were hired and living standards improved, but unfortunately the traditional crops of potatoes, grains and beans are no longer grown, and the school's tap ran dry a year and a half ago—all the water is being used for growing flowers. The authorities have been promising to pipe water in from Bogotá for three years, but Funza has grown so much lately that people are starting to get worried. ■

MOZAMBICAN FARMERS PROTECT THEIR SEED SUPPLIES

The war that has been raging in Mozambique for years has prevented the farmers of the Niassa province getting hold of imported seeds. In 1980, a nongovernmental organization, Crocevia, lent its support to the establishment of the *Gabinete de produçao de sementes do Niassa*, which, with the aid of the Bank of Mozambique, has provided funding for the farmers. They have developed local strains well adapted to the region, some of them not previously recorded, which give high yields without requiring fertilizers. A certification system has been set up to keep a register of the characteristics of these strains and to protect them. Seeds of corn (maize), sorghum, wheat, manioc, groundnuts, peas and other legumes are now locally available, eliminating the need to turn to international seed suppliers and to use chemical fertilizers. ■

OIL SPILLS ARE EXPENSIVE IN THE UNITED STATES

Under the U.S. Oil Pollution Act of 1990, two oil companies responsible for separate spills have agreed to penalties totalling $14.7 million. Texaco alone faces a bill of more than $9 million for the spillage of 5,000 barrels of oil when a pump exploded at a refinery near a bay in Washington State, while the U.S. Oil and Refining Company has acknowledged responsibility for a spill of more than 14,000 barrels that occurred during the unloading of a tanker in Puget Sound, also in Washington State. The fines, of up to $1,000 a barrel of oil spilled, go towards the cost of cleaning-up operations. ■

THREATENED BREEDS OF FARM ANIMALS

A study by the United Nations Food and Agriculture Organization (FAO) shows that 1,000 of the 4,000 breeds of farm animal that were recorded in a list recently established by the organization are under threat of extinction. One reason for this erosion of genetic diversity is that animal farming is becoming increasingly intensive and specialized, tending to give priority to the more productive breeds. More than a quarter of all breeds of cattle, sheep, pigs and horses are found in Europe, and many of them face extinction because they are economically uncompetitive. Does this mean goodbye to the Reggina cattle of northern Italy, the North Ronaldsay sheep of the Orkneys and the Yakut cattle of Siberian Far North? ■

ISLANDS AHOY!

READERS INTERESTED IN ISLANDS MAY FIND THE FOLLOWING INFORMATION USEFUL:

INSULA, the International Scientific Council for Island Development, is an international nongovernmental organization bringing together researchers working in many different fields, decision-makers and institutions wishing to contribute to the economic, social and cultural advancement of the world's islands. INSULA encourages technical cooperation in everything to do with the sustainable development of islands, the exchange of information and pooling of experience through the publication of a magazine, *INSULA, the International Journal of Island Affairs*, and of reports, and by organizing conferences and seminars. Further information may be obtained from Pier d'Ayala, c/o MAB-UNESCO, 1, rue Miollis, 75015 Paris. Tel. 33 1 45 68 40 56; Fax. 33 1 40 65 98 97.

THE ARCHIPELAGO PROJECT is a network of island biosphere reserves. It is intended as an extension of the work done and exchanges carried out in relation to small islands as part of UNESCO's MAB (Man and the Biosphere) programme. It collects data on the reserves concerned and carries out comparative studies, with a view to achieving sustainable development. The founder members of the network are the Balearic island of Minorca (Spain), the Mer d'Iroise biosphere reserve (France) and the Hiiumaa biosphere reserve (Estonia). Other candidates for membership of the network are the Bijagos Archipelago (Guinea Bissau), the Université des Antilles-Guyane (France), the Archipelago Sea (Finland), the central Californian coastal biosphere reserve (United States) and the Isles of Scilly (United Kingdom). The network publishes a newsletter, *Archipelago*. The project is headed by Louis Brigand, Université de Bretagne occidentale, 6, avenue Le Gorgeu, 29275 Brest CEDEX. Fax. 33 98 31 66 26.

VAKA MOANA—"THE OCEAN ROADS"—is the name of a project proposed to the Director-General of UNESCO at a subregional consultation of UNESCO Member States of the Pacific in July 1991. It aims to define and highlight the part played by the ocean as a pathway linking the islands and their cultures. Studies will be carried out on the peopling of the region and its history, archaeology and languages, the interaction between environment and population, tourism and the arts, and traditional lore and modern societies.

"WOULD YOU LIKE TO ADOPT AN ISLAND?": John Rulmal is the Executive Director of the Office of the Traditional Chiefs of the Ulithi Falalop Atoll, Yap, Micronesia. Addressing UNESCO and other possible partners in the Italian magazine *Airone* and in *Insula*, he has put forward a proposal for an original form of "adoption". The tiny state of Yap, formerly administered by the United States, will cease to receive any aid as of the year 2000. Its thousand inhabitants want to take responsibility for their own development while vigorously protecting their environment and culture, and would like to have access to some of the benefits of progress, such as telecommunications, modern medicine, books for the library, and solar panels. Anyone wishing to participate in this imaginative operation should contact: Pier d'Ayala, INSULA/UNESCO, 1, rue Miollis, 75015 Paris.

A UNITED NATIONS CONFERENCE ON SMALL ISLANDS will be held from 25 April to 6 May 1994 in Barbados. Further information may be obtained from Mr Miles Stoby at UN Headquarters in New York. Fax. 212 963 59 35.

READING LIST:

- ***Sustainable development and environmental management of small islands*** (in English only), by William Beller, Pier d'Ayala and Philippe Hein, with contributions by 30 experts in economics, ecology, geography, environmental sciences and anthropology (MAB Series, No 5, UNESCO/Parthenon Publishing, 1990).
- ***UNESCO Sources***, No 42, November 1992: "The fragile world of islands" (English, French, Spanish, Catalan).
- ***Les îles en Méditerranée***, by Louis Brigand, Les Fascicules du Plan Bleu 5, UNEP/Economica, 1991. ■

States of bondage

■ by Manfred Nowak ■

TORTURE is one of the most barbaric acts of state repression, and it constitutes a direct and deliberate attack on the core of the human personality. Like slavery, it is an expression of the almost unlimited power of one individual over another. In the case of slavery, the human being is degraded to the condition of a non-human object deprived of legal personality. Torture aims to destroy human dignity and reduce the victim to the status of a passive tool in the hands of the torturer.

In ancient and medieval times in Europe, torture was employed to aggravate criminal punishments—usually the death penalty—and to extort confessions. Its use was an officially accepted and legally regulated aspect of the criminal justice system.

Torture was officially abolished in all European countries between 1750 and 1830. Like the abolition of slavery, its suppression was the fruit of the humanism and rationalism of the Enlightenment. Although torture continued to be applied behind prison walls, there were comparably few allegations of its systematic use in the late nineteenth and early twentieth centuries. Whereas slavery and the slave trade were explicitly pro-

Left, ***A scene of the Inquisition,*** **by Francisco de Goya y Lucientes (1746-1828).**

Right, ***Slave*** **(1948), by the Mexican painter José Clemente Orozco.**

Since these modern functions proved to be fairly efficient in combatting criminality and terrorism as well as "subversion" and other opposition tendencies, torture unfortunately began to spread again after the Second World War, to such an extent that it is now sometimes referred to as "the plague of the twentieth century". It was, for instance, systematically practised by European colonial powers against decolonization movements in the 1950s and 1960s (well-documented cases include those under French rule in Algeria and under Portuguese rule in that nation's former African colonies), under British anti-terrorist legislation in Northern Ireland, by the Greek colonels in the late 1960s, by many Latin American military dictatorships based on the ideology of "national security", by African dictators, by communist regimes, and by many other governments in many other regions.

What is torture?

The international movement against torture can only rest on humanitarian grounds and on the moral, political and legal force of human rights. In contrast to their practice with regard to torture in earlier centuries and to most other human rights violations today, governments now practically never admit that they order or even tolerate its use. Condemnation of these barbaric acts is universal, which might make the "mobilization of shame" somewhat easier than, for instance, in

Torture is a crime in international law but it is widely practised. What can be done to bring the culprits to book?

hibited by a number of bilateral and multilateral treaties culminating in the 1926 Slavery Convention, torture was so much regarded as a phenomenon of the past that neither international human rights law nor even most domestic bills of rights of this period contained explicit prohibitions.

Under National Socialism in Germany and Stalinism in the U.S.S.R. torture was again practised in a systematic, albeit clandestine manner. It acquired a new rationale as a means of state repression against political, ethnic and religious "enemies of the people". As well as being used as a punishment and in obtaining confessions, torture now served additional functions: the extortion of denunciations and other information about third persons, intimidation and discouragement of the victim, and the creation of a general atmosphere of fear as a violent means of deterrence and repression.

IT can be more clearly seen today that we shall solve none of the world's profound and serious problems without the full participation of indigenous people, ethnic minorities, the victims of arbitrary acts and repression, women, widows, children, displaced persons and other vulnerable elements, of all those who comprise the vast majority of the poor of our societies and whose experiences and demands must be taken into account.

It is essential, for the future of humanity, to envisage a new type of education which conveys the message that indigenous people and minorities in general demand co-operation from all sectors of society so as to avoid confrontations, racism and discrimination and so that their struggle to achieve full respect for their rights and their identity may be crowned with success.

Recognition and respect for cultural pluralism are key factors in the construction of new relations based on equality and peaceful coexistence between our peoples and the nations of the world.

Rigoberta Menchú
Nobel Peace Prize-winner

the case of the campaign against capital punishment. On the other hand, the same fact leads governments to apply torture primarily in remote and clandestine detention centres on prisoners who are held incommunicado, which makes the gathering of evidence about its use usually very difficult. It also increases the risk of victims being killed after having being subjected to torture.

Torture and other forms of cruel, inhuman and degrading treatment or punishment are prohibited in various international treaties and agreements generally considered to have the force of law, among them the Geneva Conventions of 1949, the International Covenant on Civil and Political Rights of 1966 (CCPR), the 1984 UN Convention against Torture (CAT), the 1950 European Convention on Human Rights, the American Convention on Human Rights of 1969, and the African Charter on Human and Peoples' Rights of 1981. In addition article 5 of the Universal Declaration of Human Rights of 1948 is generally regarded as part of customary international law. The Vienna Declaration and Programme of Action again confirmed in the strongest terms that freedom from torture is a right that must be protected under all circumstances.

Despite this impressive evidence regarding the universality of the right to freedom from torture, doubts remain as to whether this universal standard can be applied equally to all political systems, religious and cultural groups. The governments of certain states claim that amputations and similar forms of corporal punishment provided for by Islamic law do not contravene the right to freedom from torture. While feminist groups around the world denounce female circumcision as a form of torture prohibited under international law, many Africans view the practice as an expression of their traditional culture. Similarly, the admissible minimum standard of prison conditions is said to depend on the cultural background as well as the socio-economic development of the respective country.

These examples show that even an absolute right such as freedom from torture may be relativized as a result of the different interpretations given to the term in different cultures. Even in a single cultural environment, opinions as to what constitutes torture can differ considerably. In the case of Northern Ireland, the European Commission of Human Rights considered the so-called five techniques used by British security forces during interrogation (hooding detainees, subjecting them to constant and intense noise, depriving them of sleep and sufficient food and drink, and making them stand for long periods on their toes against a wall in a painful posture) as torture; but the European Court of Human Rights viewed them only as inhuman treatment.

The drafters of the 1984 UN Convention against Torture (CAT) aimed at solving the problem of defining a universal minimum standard of unacceptable behaviour by elaborating a precise definition of torture. According to Article 1 of the Convention, torture is an act of public officials that intentionally inflicts severe physical or mental pain in order to fulfil a certain purpose, such as the extortion of information or confessions. The concept of severe pain is itself of course partly subjective.

The CAT definition further excludes "pain or suffering arising only from, inherent in or incidental to lawful sanctions". This limitation has been heavily criticized as an unacceptable loophole. Who is to decide whether a sanction such as corporal punishment is lawful? If cultural diversity is to be taken into account, the obvious answer would be the domestic legislature involved. Yet to leave the question exclusively with national authorities would strip the right to freedom from torture of its regulatory function. In the circumstances, it is hard not to agree with the observation of the Special Rapporteur on Torture, whose post was created by the UN Commission on Human Rights in 1985, that "it

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is international law and not domestic law which ultimately determines whether a certain practice may be regarded as lawful".

In defining torture and other forms of inhuman treatment or punishment, one therefore has to strike a careful balance between the need for common universal minimum standards and the requirement to take political, social, religious and cultural particularities into account. This can only be done on a case-by-case basis by the competent international bodies. In cases involving certain dictatorships such as that which formerly existed in Uruguay, the Human Rights Committee of the United Nations found that interrogation techniques that included systematic beatings, electric shocks, burns, mock executions, hanging prisoners for extended periods by their arms or forcing their heads under water constituted torture and violated Article 7 of the International Covenant on Civil and Political Rights.

By these universal standards, there can be no doubt that the more severe forms of corporal punishment practised under certain religious laws, including amputation and stoning, would constitute inhuman or cruel punishment or even torture. Whether states under present international law are under a positive obligation to prohibit female circumcision is more difficult to judge. Since these traditional practices inflict severe physical and mental pain on the girls and women concerned and are, moreover, discriminatory on the ground of gender, states should at least try to prevent them by educational and similar means.

Torture and human rights

Since most cases of torture take place in detention and/or are related to criminal proceedings, an indivisible relationship exists between freedom from torture, personal liberty and the right to a fair trial. To strengthen the guarantees of these other human rights may, therefore, have the indirect effect of preventing or reducing the occurrence of torture. Consequently, states should ensure the following minimum guarantees, which are not dependent on the political, social or cultural background of the country concerned:

— The absolute prohibition of incommunicado detention;

— The right of arrested persons to immediately contact relatives, a lawyer and a doctor;

— The right of arrested persons to be brought promptly (within forty-eight hours of arrest) to a judge and to have a medical examination by an independent doctor;

— Supervision of interrogations by an independent authority;

— Prohibition of the use of statements obtained by torture as evidence before courts.

Some of these standards can be derived from present international law; others should be added as a means to prevent torture. Another provision that links freedom from torture with personal liberty is the right of detained persons under Article 10 of the Covenant on Civil and Political Rights to be treated with humanity and dignity. This right provides a guarantee against harsh prison conditions that nonetheless do not amount to inhuman or degrading treatment as defined by Article 7. Again, what is considered inhuman will reflect a country's cultural background.

Nevertheless, the United Nations has adopted standard minimum rules for the treatment of prisoners. In one recent case, the UN Human Rights Committee even found that allowances of just five minutes a day for personal hygiene and for open-air exercise constitute inhuman prison conditions. Since it had already earlier expressed the view that states must establish a minimum standard of conditions of detention regardless of economic difficulties, this comparatively high standard will have to be applied equally in all States Parties to the Covenant.

In view of the fact that, despite its unanimous,

Funeral of the black leader Steve Biko, who had died in detention. (South Africa, 1977).

absolute and universal condemnation, torture was practised on such an unprecedented scale in the 1970s, Amnesty International, the International Commission of Jurists and other NGOs called for more efficient and innovative implementation measures. In fact the traditional monitoring mechanisms under the terms of the Covenant on Civil and Political Rights and regional conventions only apply retrospectively, usually years after the actual violation has taken place, and offer little relief to the victim. A person under imminent threat of torture needs either immediate intervention or else international measures that effectively deter potential perpetrators.

Current trends

The main thrust of the Convention against Torture is the punishment of torturers by means of the criminal law. States Parties are obliged to treat all acts of torture as criminal offences, and to assign appropriate penalties for them. The CAT provides for universal jurisdiction, which means that torturers can be detained, prosecuted and punished in all States Parties regardless of the nationality of the torturer or his victims or the territory in which the act of torture was perpetrated. In addition to the traditional monitoring procedures, Article 20 of the CAT authorizes the Committee against Torture in cases of alleged systematic torture to carry out confidential enquiries, including visits to the territory of the state concerned if it gives its consent.

The experiences of the first six years of CAT's implementation have not been particularly encouraging. States are extremely hesitant about applying universal criminal jurisdiction against foreign nationals, and the Committee against Torture seems to be more occupied with its traditional task of examining state reports than with adopting a new and more efficient approach. However, in November 1993 the Committee issued for the first time a public statement in which it confirmed the practice of torture in Turkey.

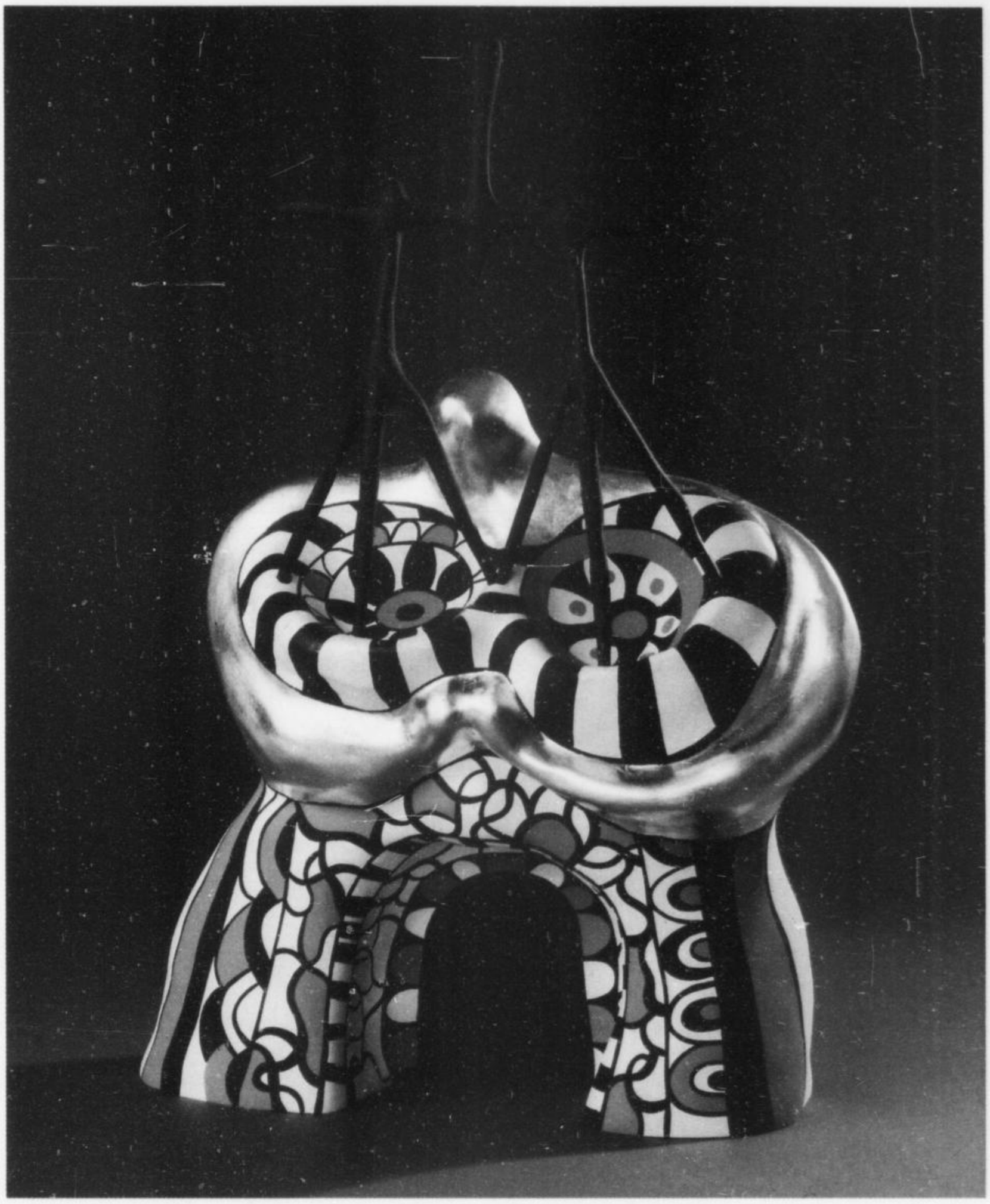
The Special Rapporteur on Torture has a worldwide mandate to examine questions relevant to torture and to report on its occurrence and on the extent to which it was practised in all countries. His activities consist of communicating with governments on questions relating to torture, launching urgent appeals when he receives information that a person is at risk, paying visits to countries which invite him for consultation, analysing the phenomenon of torture and the root causes conducive to it, and recommending measures for improvement.

To permit more efficient action to prevent torture, the Special Rapporteur time and again stressed the need for a universal system of preventive visits to places of detention. This system, originally proposed by Jean-Jacques Gautier and the Swiss Committee against Torture, is based on a very simple idea: states should give an international body the right to carry out visits to places within their jurisdiction where persons are deprived of their liberty by a public authority. This international body would then draw up a report on its findings and make the necessary recommendations. The mere fact of an international body having the right to inspect places of detention without giving previous notice would presumably have a deterrent effect on those responsible for torture.

Thus far, the fear that such a system would interfere too much with states' internal affairs has prevented its adoption at the universal level. That is why the Council of Europe took up the idea and adopted, in 1987, the European Convention for the Prevention of Torture, which follows the lines described above, and entered into force in 1989. The European Committee for the Prevention of Torture has made a very dynamic start by carrying out regular visits to all States Parties and by submitting very thorough and critical reports with detailed recommendations, which are taken seriously by governments.

On the basis of these encouraging experiences, efforts to establish a similar non-juridical and non-bureaucratic system at the universal level also have gained force in recent times. In 1992, the Commission on Human Rights set up an open-ended intersessional working group in order to elaborate a draft Optional Protocol to the UN Convention against Torture. In June 1993 the Vienna World Conference on Human Rights reaffirmed that efforts to eradicate torture should, first and foremost, be concentrated on prevention and therefore called for the early adoption of this draft. ■

A victim of repression by the *Securitate* (secret police) in 1989, at the time of the fall of the Ceausescu regime in Romania.



Justice **(1990), a sculpture by the French artist Niki de Saint-Phalle, was one of a number of works by contemporary artists sold in aid of Amnesty International, founded in 1961, to mark its thirtieth anniversary.**

Seedplot for the future

■ by Stéphane Hessel ■

The results of the Vienna Conference will take time to bear fruit

How do the results of the Vienna Conference look today, several months after the meeting ended?

The most disappointing thing about the Conference was that it failed to make a significant impact on public opinion. At the time the media were too absorbed by the Bosnian drama and the inability of the international community to bring it under control for them to give the speeches made in Vienna the coverage they deserved.

The best efforts of the Austrian Government, thanks to which the Dalai Lama was in attendance at the Conference, the strongly expressed, and sometimes persuasive, opinions voiced by the leading figures invited by the Secretary-General of the United Nations, including Cory Aquino, Jimmy Carter, Rigoberta Menchú, Wole Soyinka and others, and the turbulent scenes that occurred daily in the non-governmental organizations' Forum—none of these sufficed to arouse journalists' interest. Maybe they would have liked to regale their audiences with stories of confrontations between the democracies and the dictatorships, but such confrontations failed to materialize.

One needs to have followed the development of international relations in the area of human rights to be able to pick out, as I shall attempt to

do here, the significant new elements that emerged from the Conference.

The previous world conference on human rights was held in Tehran in 1968, the year of the short-lived "Prague spring", when East-West antagonism was at its height. The Vienna Conference enjoyed the advantage of meeting in a radically different context in which, with the collapse of the last of the great empires and the rapprochement between its main successor state, Russia, and the Western democracies, a whole new perception of international co-operation is taking shape.

One-party regimes have everywhere been routed or at least challenged, as witness many examples in eastern Europe and others in Latin America and the Caribbean, Southeast Asia and several African countries. The prosperity of those countries where democracy is underpinned by the rule of law and respect for individual liberties stands in stark contrast to the impoverished condition that the peeling façades of the authoritarian regimes can no longer disguise.

The right to development

Two arguments have been rebutted: the one claiming that "development"—reduced to a mere synonym of growth in the gross national product—could more readily be achieved by constraint than by consent among the individual interests involved and requires a centrally directed distribution of resources; and the other regarding "democracy"—reduced to the presence of a multiparty system—as a luxury only rich countries can afford. In point of fact, a linkage has been established, both in the East and in the South, between the market economy and respect for individual liberties, the challenging of the leadership and accession to material well-being.

While there can be no question of taking the regulatory mechanisms necessary for ensuring the public good out of the hands of the state, only a state wherein the rule of law, issuing from democratic processes of consultation, prevails can perform that role. Breaches of human rights and oppression exerted by force of arms or by means of the police are seen for what they are, serious obstacles to economic and social development.

Conversely, "underdevelopment", manifesting itself in the form of drastic insufficiencies in such vital areas as health, food and urban development, and resulting in the exploitation of children and corruption in the ranks of an underpaid civil service and a poorly trained magistracy, provides a fertile breeding-ground for violations of civil and political rights and at the same time slows down the necessary process of raising civic awareness and creating a civil society capable of conducting a dialogue with the state. Economic and social development clearly has a crucial part to play in the establishment of institutions for the safeguarding of human rights.

There thus exists, not only on paper but in reality, a dialectical relationship between the three themes of human rights, democracy and development on which the Vienna Conference was focused.

Each of these needed, however, to be interpreted in the light of recent history: human rights include not only civil and political rights but also, inseparable from them, economic, social and cultural rights. Democracy entails not only the existence of constitutional guarantees but also the establishment of the rule of law, together with the system of justice and the appeals procedures needed to enforce it for the benefit of the citizen. Development means not only the increased production and consumption of material goods but also improved living conditions for the population as a whole in economic, social and cultural terms.

Development in this sense is an inalienable right. The definition given in the Declaration adopted by the Conference (see page 41, Article 10) deserves to be expounded in greater detail and seen in the light of the many studies carried out by all the specialized agencies of the United Nations family. The industrial powers hitherto regarded the "right to development" simply as an impossible demand on the part of the poor countries for ever-increasing aid from the rich ones. They need to show a better understanding of the place it occupies in a world strategy that takes fuller account of the inescapable relationships of interdependence between civil and political rights and economic, social and cultural rights.

It was on this level that the real breakthrough came at the Conference. We managed to reconcile the contrasting views of states belonging to different cultures—cultures all equally proud of their fundamental values—in a text wherein they reached agreement on a common definition of the universality of human dignity and the imprescriptible nature of human rights: what the United Nations Secretary-General, Boutros Boutros Ghali, called the emergence of a "world culture of human rights". The hope that this culture will gradually spread to the whole of the planet is replacing the former antagonistic ideologies as a new Utopia to be striven for.

Despite the strong misgivings of certain states, breakdown was avoided and the final document, adopted by acclamation on 25 June, gives away nothing essential in relation to that hope. Those who feared a breakdown were reassured for the time being, albeit on the understanding that they must pursue their efforts unrelentingly. Those who, on the other hand, hoped for a breakdown, either because they wanted to smash what they denounced as a hegemony of Western values or because they wished to blacklist the countries

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Demonstration in Guatemala City, capital of Guatemala, calling for greater participation by civil society in the peace process.

that were least co-operative and were guilty of the most serious violations, were disappointed in their hopes.

One of the most interesting speeches made in this connection was that of the Indonesian Foreign Minister, Ali Alatas, whose country at present occupies the presidency of the non-aligned movement. He denied the Western countries the right to impose on others, in the name of human rights, their system of values, which he denounced as being flawed and rejected as being arrogant, at the same time declaring that every effort should be made, by means of a form of co-operation that paid respect to cultural diversity, to achieve the full flowering of the human being.

A programme of action

An equally important speech was given by Secretary of State Warren Christopher, taking United States diplomacy a decisive step forward in the direction of the countries of the South. Acknowledging the right to development as an inalienable right means recognizing, not that such a right takes precedence over respect for civil and political rights, but that it merits an effort of international solidarity to enable all societies to become states where "the rule of law" prevails, guaranteeing fundamental freedoms and a peaceful world order.

By refusing to confine itself to a statement of principles, as some delegations would have liked, and adopting a substantial programme of action, the Conference mapped out ways of strengthening the many mechanisms devised by the United Nations Commission on Human Rights at its last three sessions. Above all, it called for the promotion and protection of human rights to be included among the concerns of the international co-operation system as a whole.

Steps had already been taken in this direction. In 1992, the Commission held two special sessions on the former Yugoslavia. At these sessions new texts on minorities, enforced disappearances, indigenous peoples and arbitrary detention were adopted, and bodies were set up for the protection and promotion of human rights in El Salvador, Cambodia and Haiti. Amnesty International had no hesitation in calling the progress made in that year "historic".

Where do the states concerned stand in relation to this progress? Many of the states that were represented at the Conference remain more fearful of interference by an international institution in their internal problems than appreciative of the help such an institution offers them to solve those problems, and this despite

the great skill with which this offer was made by the Conference's Secretary-General, Ibrahima Fall, who heads the United Nations Centre for Human Rights in Geneva.

The two key questions put before the United Nations General Assembly by the final document of the Conference were those of the human and financial resources of the Geneva Centre, which were to be substantially increased, and of the status of the senior official in charge of it.

By resolution 141 adopted on 22 December 1993, as its forty-eighth session was drawing to a close, the Assembly pronounced itself in favour of creating a post of High Commissioner for Human Rights. It decided that the Office of the High Commissioner should be located in Geneva, and that the High Commissioner should be responsible for overall supervision of the Centre for Human Rights.

The resolution gives the High Commissioner extensive, well defined terms of reference, in keeping with the wishes expressed by the Vienna Conference, thus representing an undeniable success for those who defend human rights throughout the world.

In the paragraph dealing with the Centre's resources, on the other hand, the resolution, without going into further detail, limits itself to requesting the Secretary-General, "to provide appropriate staff and resources from within the existing and future regular budgets of the United Nations, to enable the High Commissioner to fulfil his/her mandate, without diverting resources from the development programme and activities of the United Nations".

In regard to these two key issues, it will be for Mr Boutros Boutros Ghali to decide how best to ensure that the impetus provided by the Vienna meeting—and indeed by the 1992 Rio meeting—is followed through in practice.

The pressure of civil society

The caution shown by states on human rights questions should come as no surprise. It is, on the other hand, encouraging to see how the activities of the various associations, federations, committees and commissions for the defence of human rights, increasingly numerous in every part of the world, are growing in strength.

The question as to how these bodies could play an effective part in the deliberations of the Vienna Conference was one of those most hotly debated during the meeting of its Preparatory Commission and was still giving rise to heated controversy before and after the official opening of the Conference itself.

The "voice of the peoples" was being given free, often sharply controversial, expression at the NGOs' Forum, but how was it to make itself heard in the intergovernmental deliberations on a document entailing commitments on the part of the states represented? In the first instance, the

Women protesting in Moscow (Russia) in 1992 against official silence over the disappearances of Russian servicemen.

two thousand or so Forum participants had to reach agreement on the proposals put forward in their name. Notwithstanding the conflicts, moments of high drama and outbursts of passion, the NGOs succeeded in doing so.

The Conference plenary heard what they had to say without paying it too much heed. The plenary commission accorded them plentiful speaking time but the Drafting Committee closed its doors to them. In fact, however, all the delegations kept in constant contact with them. It may therefore be said that considerable progress was made in the interpenetration between the official and unofficial levels, the latter including not only the non-governmental organizations, with or without consultative status, but also the National Commissions, the mediators, the authors of the special reports and the experts from the bodies responsible for monitoring the treaties and conventions, all of whom kept up constant pressure on the Conference.

The most encouraging thing to report, now that the Conference itself is over and done with, is the existence and the strength of this pressure, even if it is as yet exerted in too unco-ordinated and sporadic a fashion. It is no longer a phenomenon peculiar to the old democracies, as it was in the early decades of the United Nations. The preparatory conferences in Tunis, San José and Bangkok attested to the fact that civil society in Africa, Latin America and Asia is a force to be reckoned with.

The peoples of the world will no longer leave it to governments alone to realize their common aspirations—less injustice, less oppression, greater accountability and less violence. As the media now present it, this goal seems distant and unreal; but looking back on the progress already made, progress that it is up to all of us to consolidate, we cannot help but believe that it can, and therefore must, be attained. ■

THE RIGHTS OF ALL

BY FRANCINE FOURNIER

IN 1950 the United Nations Economic and Social Council called on UNESCO to encourage and facilitate education relating to the Universal Declaration of Human Rights, adopted two years earlier, both in schools and among the adult population and through the medium of the press, radio and the cinema. Shortly afterwards, in 1951, the first of what was to become an impressive number of UNESCO publications on human rights teaching appeared: *The Universal Declaration of Human Rights: A Guide for Teachers*.

Human rights teaching entails more than providing information about rights and the channels through which they may be put into effect. It must aim to create a strong attachment to the principles and values underlying them, such as respect for human dignity and for the rights of others, and to develop people's capacity to organize themselves to stand up for their rights and to combat ignorance and indifference.

Information about human rights therefore needs to be worked into all types of education, beginning, naturally enough, in schools. As long ago as 1953, UNESCO launched its Associated Schools Project, one of the aims of which is to promote international understanding and world peace. Over 3,000 primary and secondary schools belonging to this world-wide network are now teaching respect for human rights and fundamental freedoms.

This learning process should, however, continue through every phase of adult life, in the universities and through the work of associations and professional bodies, and should be made an essential element in the education of the most vulnerable sections of society, such as refugees, minorities, women and the disabled.

UNESCO built up this very broad conception of human rights teaching by stages. A decisive step forward was taken by the International Congress on Teaching in Human Rights (Vienna, 1978), which brought together a hundred or so experts from around the world—teachers, educationists, human rights activists and government officials—and gave particular emphasis to encouraging attitudes of tolerance, respect and solidarity.

Nine years later, the International Congress on Human Rights Teaching, Information and Documentation (Malta, 1987) added further depth and breadth to the ideas discussed in Vienna, stressing the diverse forms that such teaching should take to bring it within the reach of all and to extend it to all levels of education.

The International Congress on Education for Human Rights and Democracy (Montreal, March 1993), the latest stage in this process, summing up all that had gone before, culminated in the adoption of a "World Plan of Action on Education for Human Rights and Democracy". This plan is addressed to all those involved in human rights teaching, in or outside of the education system and especially in difficult circumstances such as conflicts, natural disasters or the transition from an authoritarian to a democratic system—one of the new dimensions to emerge at this congress being that democracy itself is inseparable from, and complementary to, true respect for human rights.

This essential topic, learning democracy, has since been the subject of many UNESCO activities. Some of the seminars and other meetings UNESCO has organized, in particular a meeting of experts on "Human rights and human rights education in the process of transition to democracy" (Prague, November 1992) and an international workshop on "Education for human rights and democracy in post-communist societies" (Warsaw, September 1993), have made it possible to identify the priorities and the steps to be taken in support of human rights teaching in eastern and central Europe.

UNESCO publishes a newsletter entitled *The Human Rights Teaching Bulletin* and awards a "UNESCO Prize for the Teaching of Human Rights" every two years to institutions, organizations or individuals who have distinguished themselves in this area, most recently, in 1992, to the Arab Institute for Human Rights. The Organization also publishes a number of directories and bibliographies, such as *Access to Human Rights Documentation*, and helps out with the establishment or management of documentation centres.

UNESCO has provided a forum in which recommendations and conventions safeguarding such basic cultural rights as the right to education, the right to participate in cultural life or scientific progress and the right to information have been worked out and adopted.

Last but not least, UNESCO's Executive Board has set up a "communications"—i.e. complaints—procedure to enable the Organization to help in solving problems in relation to the observance of cultural and educational rights submitted by individuals or associations. ■

Learning how to vote in a UNESCO Associated School in Costa Rica.

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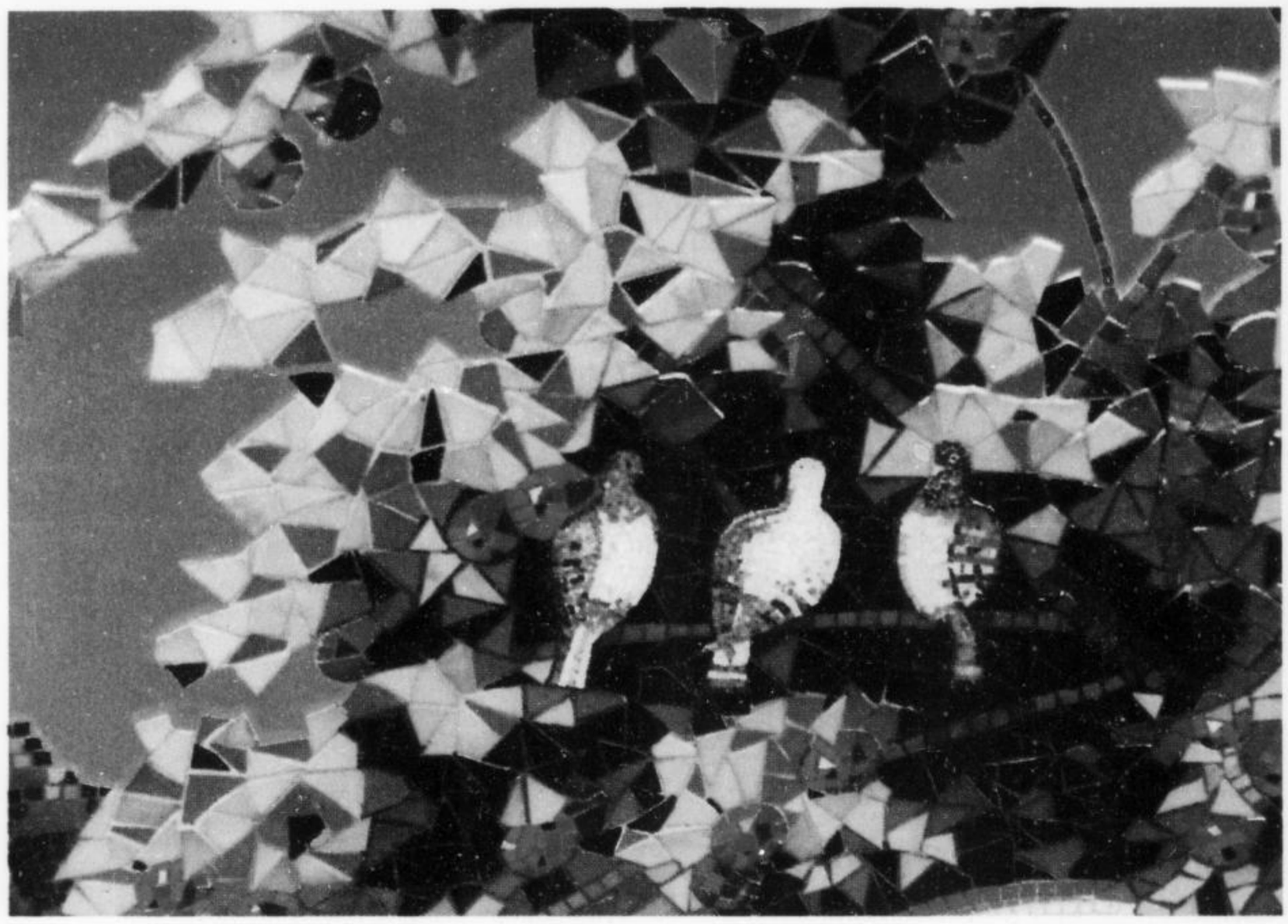


A new departure

■ by Alois Mock ■

THE second World Conference on Human Rights brought together all the parties concerned with the implementation of these rights—governments, United Nations agencies, specialized and regional international bodies, non-governmental organizations, national institutions, parliamentarians, the media and private individuals.

The Conference was thus like a living mosaic, reflecting the present situation of human rights in the world: a lot of pieces need to be polished and fined down and then put in their proper places to form a meaningful whole. The Conference was likewise at pains to define, and often to redefine and reaffirm, principles that have existed for decades or even centuries. Some of these principles may have given rise to controversy in the past; the Conference at last gave them universal authority.

Guaranteeing all human beings fundamental rights stemming from human nature is a long-term undertaking that in the first place entails reaching agreement among states. What is needed is to establish the principles of human rights first as political and then as legal obligations, and finally to see to it that they are put into practice.

The final document of the Conference, consisting of the Declaration and Programme of Action*, paves the way for a dynamic development of the UN system to promote and protect human rights in the following fields:

■ ***The universality of human rights:*** the Declaration confirms that all human rights are universal, indivisible and interdependent, even emphasizing that the universal nature of these rights and freedoms is beyond question. It was clear from the preparatory proceedings, and then from the discussions during the Conference, that this principle needed restating.

■ ***Respect for human rights as a subject for international discussion:*** the final document stresses that the promotion and protection of all human rights is a legitimate concern of the international community. Raising questions about the effective respect for these rights can thus no longer be regarded as unwarranted interference in the affairs of a state.

ALOIS MOCK,
Austria's Minister of Foreign Affairs and Chairperson of the European Democratic Union, was president of the World Conference on Human Rights.

■ ***The relationship between democracy, development and human rights:*** the Conference brought out clearly the interdependence between respect for human rights, economic and social development, and individuals' participation in public life.

■ ***Minority rights:*** the participating states recognized the importance of the promotion and protection of the rights of minorities to the political and social stability of the states in which they live, and accepted the obligation to ensure that persons belonging to minorities may fully and effectively exercise all human rights without discrimination.

■ ***The position of women and vulnerable groups:*** the final document attaches particular importance to the rights of women and of various vulnerable groups, including children, indigenous people, migrant workers and the disabled. It declares that the full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of gender-based discrimination are priority objectives of the international community.

It also reaffirms the commitment of the international community to the economic, social and cultural well-being of indigenous people, and their enjoyment of the fruits of sustainable development.

■ ***The Programme of Action:*** unlike the first World Conference, held at Tehran in 1968, the declaration of the Vienna Conference is combined with a Programme of Action containing guidelines for its implementation in future years.

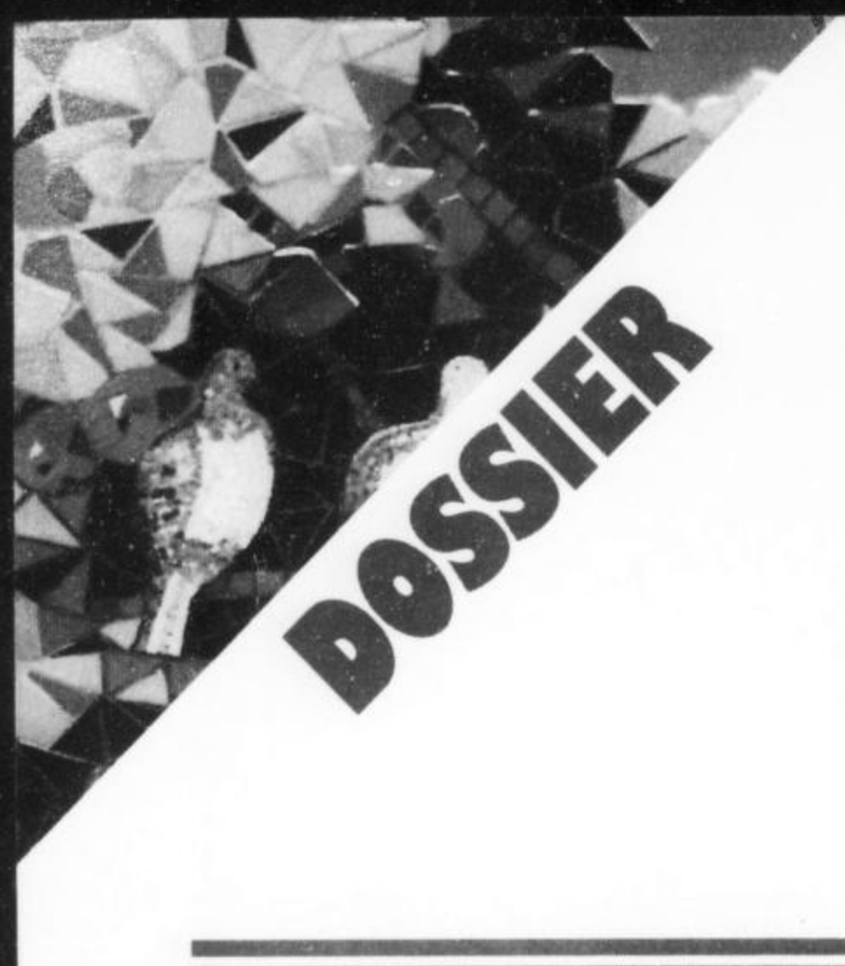
The United Nations system is called upon to take concrete measures for the practical application of the recommendations contained in the final document. To this end the Conference asked that the Geneva Centre for Human Rights be strengthened and its financial resources and staff be increased, and that existing machinery for promoting and protecting human rights be made more effective. The proposal that a post of High Commissioner for Human Rights be created has since been adopted by the General Assembly.

The realization of human rights is, however, an undertaking that is far from complete. The discussions at the Conference confirmed that the modern world is in total disarray. Armed aggression, flagrant and systematic violation of human rights, and the denial of fundamental freedoms continue in various parts of the world. As the Nobel Peace prizewinners gathered at Vienna emphasized during the Conference: "One of the fundamental lessons of our time is that respect for human rights is essential for peace. There can be no real peace without *justice*, and any lasting peace must be founded on universal devotion to the human family. National interests must be subordinated to international obligations. . . .

"The only way of permanently settling the conflicts still rife throughout the world is by tackling the main causes of human rights violations. Ethnic wars, growing militarism, racial, religious, cultural and ideological hostility, and the denial of social justice will come to an end if all individuals are brought up, educated and trained in a spirit of tolerance based on respect for human rights in accordance with the various instruments relating to human rights adopted by the United Nations system." ■

* See extracts overleaf

"The Conference was like a living mosaic. . . ." Right and opposite page above: details, at various stages of preparation, of a mosaic (1991) by Slobodan Bijeljac, an artist born in Sarajevo.



DOSSIER

The "Vienna Declaration and Programme of Action,", extracts from which are published below, was adopted at the World Conference on Human Rights by consensus, but only after long and often difficult negotiations. The preparatory meetings for the Conference revealed profound differences between the participants, notably on the question of the universality of human rights in a world of different cultural traditions. In the dossier beginning on this page are long extracts from the final declarations produced by some of these meetings. They show where the different approaches to human rights issues coincide and where they part company.

The Vienna Declaration and Programme of Action

Adopted 25 June 1993 by the World Conference on Human Rights

The World Conference on Human Rights,

Recognizing and affirming that all human rights derive from the dignity and worth inherent in the human person, and that the human person is the central subject of human rights and fundamental freedoms, and consequently should be the principal beneficiary and should participate actively in the realization of these rights and freedoms,

Emphasizing the responsibilities of all States, in conformity with the Charter of the United Nations, to develop and encourage respect for human rights and fundamental freedoms for all, without distinction as to race, sex, language or religion,

Considering the major changes taking place on the international scene and the aspirations of all the peoples for an international order based on the principles enshrined in the Charter of the United Nations, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Deeply concerned by various forms of discrimination and violence, to which women continue to be exposed all over the world,

Solemnly adopts **the Vienna Declaration and Programme of Action.**

1. The World Conference on Human Rights reaffirms the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter of the United Nations, other instruments relating to human rights, and international law. The universal nature of these rights and freedoms is beyond question.

2. All peoples have the right of self-determination. By virtue of that right they freely determine their political status, and freely pursue their economic, social and cultural development.

Taking into account the particular situation of peoples under colonial or other forms of alien domination or foreign occupation, the World Conference on Human Rights recognizes the right of peoples to take any legitimate action, in accordance with the Charter of the United Nations, to realize their inalienable right of self-determination. The World Conference on Human Rights considers the denial of the right of self-determination as a violation of human rights and underlines the importance of the effective realization of this right.

5. All human rights are universal, indivisible and interdependent and interrelated. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms.

6. The efforts of the United Nations system towards the universal respect for, and observance of, human rights and fundamental freedoms for all, contribute to the stability and well-being necessary for peaceful and friendly relations among nations, and to improved conditions for peace and security as well as social and economic development, in conformity with the Charter of the United Nations.

8. Democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing. Democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives. In the context of the above, the promotion and protection of human rights and fundamental freedoms at the national and international levels should be universal and conducted without conditions attached. The international community should support the strengthening and promoting of democracy, development and respect for human rights and fundamental freedoms in the entire world.

9. The World Conference on Human Rights reaffirms that least developed countries committed to the process of democratization and economic reforms, many of which are in Africa, should be supported by the international community in order to succeed in their transition to democracy and economic development.

10. The World Conference on Human Rights reaffirms the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights.

As stated in the Declaration on the Right to Development, the human person is the central subject of development.

While development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights.

States should co-operate with each other in ensuring development and eliminating obstacles to development. The international community should promote an effective international co-operation for the realization of the right to development and the elimination of obstacles to development.

Lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level.

11. The right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations. The World Conference on Human Rights recognizes that illicit dumping of toxic and dangerous substances and waste potentially constitutes a serious threat to the human rights to life and health of everyone.

12. The World Conference on Human Rights calls upon the international community to make all efforts to help alleviate the external debt burden of developing countries, in order to supplement the efforts of the Governments of such countries to attain the full realization of the economic, social and cultural rights of their people.

15. Respect for human rights and for fundamental freedoms without distinction of any kind is a fundamental rule of international human rights law. The speedy and comprehensive elimination of all forms of racism and racial discrimination, xenophobia and related intolerance is a priority task for the international community. Governments should take effective measures to prevent and combat them.

17. The acts, methods and practices of terrorism in all its forms and manifestations as well as linkage in some countries to drug trafficking are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity, security of States and destabilizing legitimately constituted Governments. The international community should take the necessary steps to enhance co-operation to prevent and combat terrorism.

18. The human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.

Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated. This can be achieved by legal measures and through national action and international co-operation in such fields as economic and social development, education, safe maternity and health care, and social support.

The human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women.

The World Conference on Human Rights urges Governments, institutions, intergovernmental and non-governmental organizations to intensify their efforts for the protection and promotion of human rights of women and the girl-child.

19. .... The World Conference on Human Rights reaffirms the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities.

The persons belonging to minorities have the right to enjoy their own culture, to profess and practise their own religion and to use their own language in private and in public, freely and without interference or any form of discrimination.

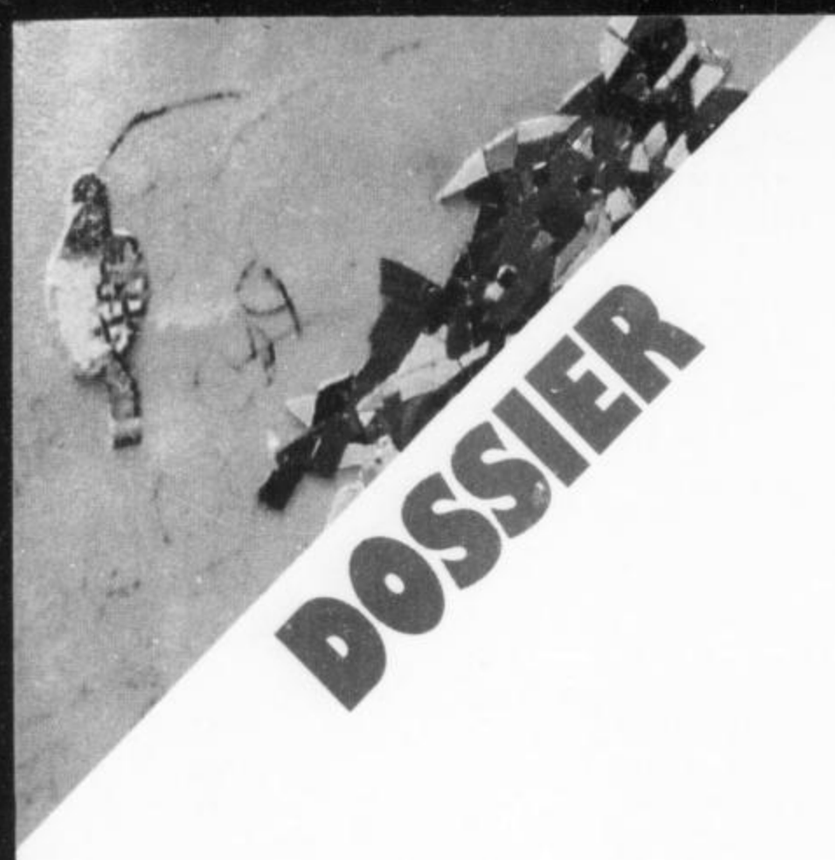
20. The World Conference on Human Rights recognizes the inherent dignity and the unique contribution of indigenous people to the development and plurality of society and strongly reaffirms the commitment of the international community to their economic, social and cultural well-being and their enjoyment of the fruits of sustainable development. States should ensure the full and free participation of indigenous people in all aspects of society, in particular in matters of concern to them.

21. .... National and international mechanisms and programmes should be strengthened for the defence and protection of children, in particular, the girl-child, abandoned children, street children, economically and sexually exploited children, including through child pornography, child prostitution or sale of organs, children victims of diseases including acquired immunodeficiency syndrome, refugee and displaced children, children in detention, children in armed conflict, as well as children victims of famine and drought and other emergencies. International co-operation and solidarity should be promoted to support the implementation of the Convention [on the Rights of the Child] and the rights of the child should be a priority in the United Nations system-wide action on human rights.

22. Special attention needs to be paid to ensuring non-discrimination, and the equal enjoyment of all human rights and fundamental freedoms by disabled persons, including their active participation in all aspects of society.

23. The World Conference on Human Rights reaffirms that everyone, without distinction of any kind, is entitled to the right to seek and to enjoy in other countries asylum from persecution, as well as the right to return to one's own country.

36. The World Conference on Human Rights reaffirms the important and constructive role played by national institutions for the promotion and protection of



human rights, in particular in their advisory capacity to the competent authorities, their role in remedying human rights violations, in the dissemination of human rights information, and education in human rights.

37. Regional arrangements play a fundamental role in promoting and protecting human rights. They should reinforce universal human rights standards, as contained in international human rights instruments, and their protection. The World Conference on Human Rights endorses efforts under way to strengthen these arrangements and to increase their effectiveness, while at the same time stressing the importance of co-operation with the United Nations human rights activities.

The World Conference on Human Rights reiterates the need to consider the possibility of establishing regional and sub-regional arrangements for the promotion and protection of human rights where they do not already exist.

38. The World Conference on Human Rights recognizes the important role of non-governmental organizations in the promotion of all human rights and in humanitarian activities at national, regional and international levels. The World Conference on Human Rights appreciates their contribution to increasing public awareness of human rights issues, to the conduct of education, training and research in this field, and to the promotion and protection of all human rights and fundamental freedoms. While recognizing that the primary responsibility for standard-setting lies with States, the Conference also appreciates the contribution of non-governmental organizations to this process. In this respect, the World Conference on Human Rights emphasizes the importance of continued dialogue and co-operation between Governments and non-governmental organizations. ■

The Tunis Declaration

Regional Meeting for Africa

The Ministers and representatives of the African States meeting at Tunis from 2 to 6 November 1992, in the context of preparations for the World Conference on Human Rights, and pursuant to General Assembly resolution 46/116 of 17 December 1991 . . . adopt the present declaration, to be known as the Tunis Declaration, which reflects both their convictions and their expectations:

1. The African States reaffirm their commitment to the principles set forth in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights and the African Charter on Human and People's Rights.

2. The universal nature of human rights is beyond question; their protection and promotion are the duty of all States, regardless of their political, economic or cultural systems.

3. The proper administration of justice and an independent judiciary are crucial to the full realization of human rights. The attainment of these objectives is, however, impossible without substantial investment in the area of the administration of justice. The African States and the international community are, therefore, called upon to allocate more resources to this area.

4. Responsibility for the implementation and promotion of human rights devolves primarily on Governments. The component institutions, organizations and structures of society also play an important role in safeguarding and disseminating these rights; they should therefore be strengthened and encouraged.

5. The observance and promotion of human rights are undeniably a global concern and an objective to the realization of which all States, without exception, are called upon to contribute. However, no ready-made model can be prescribed at the universal level since the historical and cultural realities of each nation and the traditions, standards and values of each people cannot be disregarded.

6. The principle of the indivisibility of human rights is sacrosanct. Civil and political rights cannot be dissociated from economic, social and cultural rights. None of these rights takes precedence over the others.

7. Political freedom when not accompanied by respect for economic, social and cultural rights is precarious. The right to development is inalienable. Human rights, development and international peace are interdependent.

8. Lasting progress towards the implementation of human rights implies, at the national level, effective development policies and, at the international level, more equitable economic relations, as well as a favourable economic environment.

9. Racism, particularly its new forms, extremism and fanaticism, whether of religious or other origin, pose a serious threat to the protection and promotion of universal human rights values. Governments, individuals, groups, institutions and non-governmental organizations are called upon to apply their efforts, take the necessary steps and co-operate in dealing with this threat.

10. Africa, which has chosen the path of democracy, economic reform and the promotion of human rights, in an unfavourable economic environment, and which finds itself particularly exposed to internal tensions deriving from the failure to meet the basic needs of populations and from the rise of extremism, will nevertheless remain committed to its choices and its responsibilities, and calls upon the international community to do likewise, in particular through an intensification of international solidarity, an adequate increase in development assistance and an appropriate settlement of the debt problem.

11. Africa, which remains committed to respect for individual human rights, also takes this opportunity to reaffirm the importance that it attaches to respect for the collective rights of peoples, particularly the right to determine their own future and to control their own resources. Accordingly, it condemns the persistence of apartheid in South Africa and the gross and systematic violations of human rights due to foreign occupation, particularly in Palestine and in the other occupied Arab territories, including Jerusalem, the armed conflicts in Somalia and the policy of ethnic cleansing in Bosnia and Hercegovina, and reaffirms the right of all peoples to self-determination and free choice of their political and economic systems and insti-

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tutions, on the basis of respect for national sovereignty and non-interference in the internal affairs of States. ■

The San José Declaration

Regional Meeting for Latin America and the Caribbean

The representatives of the Latin-American and Caribbean countries, meeting in the city of San José, Costa Rica, from 18 to 22 January 1993, as part of the preparations for the World Conference on Human Rights, to be held in June 1993 in Vienna, Austria,

1. We reaffirm our commitment to promoting and guaranteeing the full observance of the human rights established in the Universal Declaration and in universal and regional human rights instruments, through our own efforts and through broad-based, non-selective and non-discriminatory international co-operation;

2. We reiterate that the World Conference on Human Rights should be based on the unconditional and indissoluble link between human rights, democracy and development;

3. We hold that the interdependence and indivisibility of civil, political, economic, social and cultural rights are the basis for consideration of the question of human rights, and therefore the exercise of some cannot and must not be disallowed on the pretext that full enjoyment of the others has not yet been achieved;

4. We underline that respect for human rights and fundamental freedoms, the strengthening of development, democracy and pluralism in international relations with full respect for the sovereignty, territorial integrity and political independence of States, and the sovereign equality and self-determination of peoples are the pillars of our regional system;

5. We consider that the defence and strengthening of representative democracy constitute the best guarantee of the effective enjoyment of all human rights, and stress that the rupture of the democratic order threatens human rights in the country concerned and has negative repercussions on the countries of the region, particularly neighbouring countries;

13. We draw attention to the urgent need to establish mechanisms and programmes for the defence and protection of children and adolescents, in particular, in relation to abandoned and street children, and for Governments to set up national commissions for the monitoring and follow-up of the Convention on the Rights of the Child, made up of governmental and non-governmental organizations; we trust, moreover, that the international concern expressed at the situation of the children in our region will translate into concrete forms of co-operation with the programmes and projects established at the national level;

14. We reaffirm that Governments must emphasize the implementation of actions to recognize the rights of women, to promote their participation in national life with equality of opportunity, to eradicate all forms of hidden or overt discrimination on grounds of sex, race or social status and, especially, to eliminate gender-based violence, as well as all forms of sexual exploitation. We recommend that the World Conference promote the relevant international instruments;

15. We welcome the celebration in 1993 of the International Year of the World's Indigenous People; we recognize the enormous contribution of indigenous peoples to the development and plurality of our societies and we reaffirm our commitment to their economic, social and cultural well-being and our obligation to respect their own initiatives and participation, recognizing the value and diversity of their cultures and their forms of social organization, without detriment to the unity of the State;

16. We attach the utmost importance to the observance of the human rights and fundamental freedoms of vulnerable groups and the elimination of all forms of discrimination against them, and to the development of norms which protect those groups not yet covered by relevant instruments;

17. We attach the greatest importance to consideration of the topic of disability and human rights, and affirm that, in order to ensure compliance with existing norms of protection, there is a need to elaborate an international convention that will provide, on the basis of equality, for the full exercise and enjoyment of the fundamental rights

of disabled persons, in order to incorporate them fully into the active life of the community, and to intensify efforts to prevent disability;

18. We consider that efforts must be intensified to improve the situation of migrant workers and their families according to the principle of non-discrimination, and we encourage Governments to adhere to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;

19. We express our commitment to promote and protect all of the human rights and fundamental freedoms of elderly persons, as established in national and international instruments, and to guarantee the full access of this vulnerable group to social security benefits and to the specific protection mechanisms recommended in the Vienna International Plan of Action on Ageing;

20. We recognize the need to respect the princple of non-discrimination and to guarantee the legal and social equality of people infected with human immunodeficiency virus (HIV) and people with acquired immunodeficiency syndrome (Aids), as well as their right to receive the necessary treatment, and the need to take public health measures to prevent the proliferation of this illness;

21. We reiterate our concern about, and our condemnation of, the various forms of terrorism, including the activities of armed groups that sow terror in the population and of drug traffickers, who threaten the exercise of democracy and are serious obstacles to the full realization of all human rights and fundamental freedoms in our region;

29. We stress that the promotion and defence of human rights must be given priority within the United Nations, and that this must be reflected in the distribu-

tion of the Organization's budgetary resources;

30. We stress the importance of strengthening the Centre for Human Rights by providing it with the necessary resources so that it may expeditiously and effectively provide a wide range of human rights advisory services, taking into account the current historical, political and social situation of requesting Governments;

31. We reaffirm the importance of incorporating the topic of human rights issues into the education imparted by States, and recommend that its dissemination, both theoretical and practical, be established as a priority objective of educational policies. ■

The Bangkok Declaration

Regional Meeting for Asia

The Ministers and representatives of Asian States, meeting at Bangkok from 29 March to 2 April 1993, pursuant to General Assembly resolution 46/116 of 17 December 1991 in the context of preparations for the World Conference on human rights,

Adopt this Declaration, to be known as "The Bangkok Declaration", which contains the aspirations and commitments of the Asian region:

1. *Reaffirm* their commitment to the principles contained in the Charter of the United Nations and the Universal Declaration of Human Rights as well as the full realization of all human rights throughout the world;

2. *Underline* the essential need to create favourable conditions for effective enjoyment of human rights at both the national and international levels;

3. *Stress* the urgent need to democratize the United Nations system, eliminate selectivity and improve procedures and mechanisms in order to strengthen international co-operation, based on principles of equality and mutual respect, and ensure a positive, balanced and non-confrontational approach in addressing and realizing all aspects of human rights;

4. *Discourage* any attempt to use human rights as a conditionality for extending development assistance;

5. *Emphasize* the principles of respect for national sovereignty and territorial integrity as well as non-interference in the internal affairs of States, and the non-use of human rights as an instrument of political pressure;

6. *Reiterate* that all countries, large and small, have the right to determine their political systems, control and freely utilize their resources, and freely pursue their economic, social and cultural development;

7. *Stress* the universality, objectivity and non-selectivity of all human rights and the need to avoid the application of double standards in the implementation of human rights and its politicization, and that no violation of human rights can be justified;

8. *Recognize* that while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds;

9. *Recognize further* that States have the primary responsibility for the promotion and protection of human rights through appropriate infrastructure and mechanisms, and also recognize that remedies must be sought and provided primarily through such mechanisms and procedures;

10. *Reaffirm* the interdependence and indivisibility of economic, social, cultural, civil and political rights, and the need to give equal emphasis to all categories of human rights;

17. *Reaffirm* the right to development, as established in the Declaration on the Right to Development, as a universal and inalienable right and an integral part of fundamental human rights, which must be realized through international co-operation, respect for fundamental human rights, the establishment of a monitoring mechanism and the creation of essential international conditions for the realization of such right;

18. *Recognize* that the main obstacles to the realization of the right to development lie at the international macroeconomic level, as reflected in the widening gap between the North and the South, the rich and the poor;

19. *Affirm* that poverty is one of the major obstacles hindering the full enjoyment of human rights;

22. *Reaffirm* their strong commitment to the promotion and protection of the rights of women through the guarantee of equal participation in the political, social, economic and cultural concerns of society, and the eradication of all forms of discrimination and of gender-based violence against women;

23. *Recognize* the rights of the child to enjoy special protection and to be afforded the opportunities and facilities to develop physically, mentally, morally, spiritually and socially in a healthy and normal manner and in conditions of freedom and dignity;

29. *Stress* the importance of strengthening the United Nations Centre for Human Rights with the necessary resources to enable it to provide a wide range of advisory services and technical assistance programmes in the promotion of human rights to requesting States in a timely and effective manner, as well as to enable it to finance adequately other activities in the field of human rights authorized by competent bodies;

30. *Call for* increased representation of the developing countries in the Centre for Human Rights. ■

The Cairo Declaration

on Human Rights in Islam

The Member States of the Organization of the Islamic Conference,

Reaffirming the civilizing and historical role of the Islamic Ummah which God made the best nation that has given mankind a universal and well-balanced civilization in which harmony is established between this life and the hereafter

and knowledge is combined with faith; and the role that this Ummah should play to guide a humanity confused by competing trends and ideologies and to provide solutions to the chronic problems of this materialistic civilization;

Wishing to contribute to the efforts of mankind to assert human rights, to protect man from exploitation and persecution, and to affirm his freedom and right to a dignified life in accordance with the Islamic Shari'ah*;

Convinced that mankind which has reached an advanced stage in materialistic science is still, and shall remain, in dire need of faith to support its civilization and of a self motivating force to guard its rights;

Believing that fundamental rights and universal freedoms in Islam are an integral part of the Islamic religion and that no one as a matter of principle has the right to suspend them in whole or in part or violate or ignore them in as much as they are binding divine commandments, which are contained in the Revealed Books of God and were sent through the last of His Prophets to complete the preceding divine messages thereby making their observance an act of worship and their neglect or violation an abominable sin, and accordingly every person is individually responsible—and the Ummah collectively responsible—for their safeguard.

Proceeding from the above-mentioned principles,

Declare the following:

Article 1:

a) All human beings form one family whose members are united by submission to God and descent from Adam. All men are equal in terms of basic human dignity and basic obligations and responsibilities, without any discrimination on the grounds of race, colour, language, sex, religious belief, political affiliation, social status or other considerations. True faith is the guarantee for enhancing such dignity along the path to human perfection.

b) All human beings are God's subjects, and the most loved by Him are those who are most useful to the rest of His subjects, and no one has superiority over another except on the basis of piety and good deeds.

Article 6:

a) Woman is equal to man in human dignity, and has rights to enjoy as well as duties to perform; she has her own civil entity and financial independence, and the right to retain her name and lineage.

b) The husband is responsible for the support and welfare of the family.

Article 10:

Islam is the religion of unspoiled nature. It is prohibited to exercise any form of compulsion on man or to exploit his poverty or ignorance in order to convert him to another religion or to atheism.

Article 11:

a) Human beings are born free, and no one has the right to enslave, humiliate, oppress or exploit them, and there can be no subjugation but to God the Most-High.

b) Colonialism of all types being one of the most evil forms of enslavement is totally prohibited. Peoples suffering from colonialism have the full right to freedom and self-determination. It is the duty of all States and peoples to support the struggle of colonized peoples for the liquidation of all forms of colonialism and occupation, and all States and peoples have the right to preserve their independent identity and exercise control over their wealth and natural resources.

Article 12:

Every man shall have the right, within the framework of Shari'ah, to free movement and to select his place of residence whether inside or outside his country, and if persecuted is entitled to seek asylum in another country. The country of refuge shall ensure his protection until he reaches safety, unless asylum is motivated by an act which Shari'ah regards as a crime.

Article 16:

Everyone shall have the right to enjoy the fruits of his scientific, literary, artistic or technical production and the right to protect the moral and material interests stemming therefrom, provided that such production is not contrary to the principles of Shari'ah.

Article 19:

a) All individuals are equal before the law, without distinction between the ruler and the ruled.

b) The right to resort to justice is guaranteed to everyone.

c) Liability is in essence personal.

d) There shall be no crime or punishment except as provided for in the Shari'ah.

e) A defendant is innocent until his guilt is proven in a fair trial in which he shall be given all the guarantees of defence.

Article 22:

a) Everyone shall have the right to express his opinion freely in such manner as would not be contrary to the principles of the Shari'ah.

b) Everyone shall have the right to advocate what is right, and propagate what is good, and warn against what is wrong and evil according to the norms of Islamic Shari'ah.

c) Information is a vital necessity to society. It may not be exploited or misused in such a way as may violate sanctities and the dignity of Prophets, undermine moral and ethical values or disintegrate, corrupt or harm society or weaken its faith.

d) It is not permitted to arouse nationalistic or doctrinal hatred or to do anything that may be an incitement to any form of racial discrimination.

Article 23:

a) Authority is a trust; and abuse or malicious exploitation thereof is absolutely prohibited, so that fundamental human rights may be guaranteed.

b) Everyone shall have the right to participate, directly or indirectly in the administration of his country's public affairs. He shall also have the right to assume public office in accordance with the provisions of Shari'ah.

Article 24:

All the rights and freedoms stipulated in this Declaration are subject to the Islamic Shari'ah.

Article 25:

The Islamic Shari'ah is the only source of reference for the explanation or clarification of any of the articles of this Declaration.

Cairo, 14 Muharram 1411H
5 August 1990 ■

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* Shari'ah: the Holy Law of Islam. *Editor*

UNESCO IN ACTION
HERITAGE

HAITI

King Henry's fabulous works

by Francis Leary

In the Caribbean lies an island known as the "Pearl of the Antilles". Here Christopher Columbus, westward bound from Seville in 1492 to seek the riches of the Indies, made his first promising landfall in the New World. A large, beautiful island, it was a green, forested land with sparkling white beaches and, in the interior, lofty mountains where roamed the Arawak Indian tribe. He called it "Hispaniola", after his Spanish sponsors.

Going ashore on the northwest coast, Columbus set up the crimson and gold standard of Spain, to found his first settlement in America. As it was December 26th, he baptised the post "La Navidad", for the Nativity of Christ. When he departed, he left a small company of thirty-nine men, but the post was destroyed by the Indians and only vestiges remained. But more white men would arrive, well-armed, to overpower and enslave the natives.

In 1697, Spain ceded to France the western third of the island, which became the colony of Saint-Domingue, now Haiti. Near the site of La Navidad is the present National Historical Park, comprising twenty-five square kilometres. Here the visitor will find, towering heavenwards, the huge Citadel built by King Henry I, who ruled as absolute monarch from 1811 to 1820.

To reach this massive fortress, which cost so much in toil and blood, one proceeds on horseback along a narrow road that snakes upward for 1,000 metres. As the fierce tropical sun burns away the shrouding mist, a gigantic shape emerges like the prow of a great ship. It is the citadel's Coidavid tower and battery, named for Queen Marie-Louise Coidavid, the king's wife. She was the daughter of the innkeeper of the Auberge de la Couronne, where Henry Christophe once served as a waiter.

From the summit of the Queen's tower, rising forty metres from the base, one gazes at the distant roofs of Cap Haitien, far below, and the wide curving bay where in 1778 the French Admiral d'Estaing dropped anchor. He wanted 1,500 likely lads, both slave and free, to aid the colonists in the American Revolution against British rule.

Young Henry Christophe was eager to go. Born in Grenada, in the Windward Islands, in 1767, he had worked his way up from sugar mills to apprentice to a master mason. At the age of twelve he ran away, to be seized by the French captain of a slave ship and taken to Saint-Domingue, where he was sold to a naval officer with d'Estaing's fleet.

His experience of the American Revolution inspired Christophe. He met other freedom fighters from Saint-Domingue and other islands of the French Antilles, both black and mulatto, and he felt that what the American colonists could do, the slaves in their island might also achieve.

Such dreams became reality with the tumult in France itself, when the ancient monarchy was overthrown by men with a passion for liberty and equality. In March 1792, the National Convention in Paris enfranchised mulattos and black freedmen in the Antilles, to the fury of the French colonists. They broke with Paris, called on the British to succour them, and executed anyone who tried to claim his rights.

When in 1794 the Commissioners from Paris abolished slavery, the blacks rallied to the French Republic to drive out the British who had occupied Port-au-Prince.

Finally, the liberated slaves turned on all the whites who still barred their freedom. Three brilliant black tacticians and former slaves, Toussaint L'Ouverture, Jean-Jacques Dessalines and Henry Christophe, outgeneralled the whites by their guerilla warfare. The 40,000 colonists who had enslaved a half million blacks were overwhelmed, slain or put to flight. It was the first and only successful slave insurrection of the New World.

AMERICA'S FIRST BLACK REPUBLIC WINS INDEPENDENCE

The fatal imbalance in numbers, which did not prevail elsewhere in the Caribbean, was due to the greed of the French planters, who craved riches by ever-expanding production, especially of sugar and coffee, with a great mass of slaves. In two years only, 1787 and 1788, over 60,000 slaves were imported from Africa.

However, Napoleon Bonaparte, now First Consul of France, sent an army of 26,000 veterans and a fleet of sixty warships to retake the "Pearl of the Antilles". Under General Leclerc, Napoleon's brother-in-law, the French broke the black resistance, while Toussaint was lured into a trap and seized, to be despatched to die in a French dungeon in the Jura hills. The brief era of black freedom was apparently over.

Abruptly, an epidemic of yellow fever struck the French a devastating blow. Victorious from February to June 1802, the invading army was now barely able to maintain control of Saint-Domingue. Leclerc himself died in October, and Pauline, his wife and Napoleon's sister, took his body back to France. The blacks surged again under Dessalines and Henry Christophe and won the decisive battle of Vertières, near Cap Haitien, on 18 November 1803.

On 1 January 1804, at Gonaives on the west coast, Dessalines proclaimed the Republic of Haiti, thus reviving the original Indian name of "land of mountains". Haiti was the first black republic in America and the second colony to win independence. In October, Dessalines, following Napoleon's lead, took the title of emperor. He first conceived of building a mighty fortress

Above, piles of cannonballs on the western flank of the Citadel.
Opposite page, Henry Christophe (1767-1820). Woodcarving by an unknown artist.

on the mountain peak that the peasants termed "the Bishop's Bonnet". When in 1806 the new emperor fell victim to an angry mob incited by Alexandre Pétion, a rival quadroon general, Henry Christophe took over the project. Elected President, he became King Henry I in 1811, reigning over the north of Haiti.

SCANNING THE HORIZON FOR THE TRICOLOUR OF FRANCE

In King Henry's golden days, the monarch himself would stand for hours on the ramparts of La Coidavid, elegantly attired in blue swallow-tail coat with gold buttons, white nankin breeches and black boots. On his head perched a cocked hat, worn fore and aft in British style. At his side stood his trusty aide, the quadroon Pompée Vastey, bearing the royal brass telescope through which Henry surveyed his domain.

Below the Citadel, on the North Plain, stretched the plantations tended by a multitude of black subjects, growing coffee, sugar, rice and cotton. Hours of work were strict: "From dawn to 8 a.m., then one hour for prayers and breakfast; from nine to twelve, then two hours for dinner; from 2 p.m. until sundown."

Often the king scanned the horizon, looking for tall ships and the tricolour of France. He was obsessed. The French would return, as they had years before, to destroy the black realm, even though it was protected to some extent by Henry's friends the British. But if the French should manage to land, Henry was ready for them.

Assisted by the Haitian engineer Henri Barré, the monarch drove on his grand project to build the Citadel with a hurricane of energy. Like pharaoh's slaves building the pyramids under the lash, thousands of men toiled upward bearing bricks and mortar or dragging ponderous cannons. Once apprentice to a mason, Henry himself sometimes lent a hand. Though men might lose their footing on the vertiginous slope and fall screaming into the abyss, nothing stopped the frantic pace of construction.

The Citadel formed an irregular quadrangle, with four great towers, protected by eight batteries in tiered casements of twenty cannon each. These cannon of various calibres were sited on mobile gun carriages to cover all angles of fire. Only the west front, with its sheer drop, had no defending battery. Within the walls, on average 3.5 metres thick, was a central court, the Place des Armes, around which were the governor's palace, barracks for 2,000 men or 5,000 in an emergency, a chapel, a powder magazine and wells for cooling the guns. A huge cistern stored drinking water, while a sewage system carried waste beyond the walls.

On the south, the approach to the Citadel was guarded by the four redoubts on the plateau of Les Ramiers, an outcropping of the crest on which the Citadel stood. At Les Ramiers were also living quarters to supplement the Citadel's facilities. The ensemble of the King's great work covered 10,000 square metres and could accommodate the royal family, the court and government in addition to the thousands of soldiers in the garrison.

After descending the winding treacherous roadway from the Citadel, the visitor arrives at the village of Milot, twenty kilometres from Cap Haitien. Here the grandiose ruin of Henry's royal palace looms, even its present blackened shell a visionary wonder. Built by black men at the direction of a black king, the palace was intended to show that blacks, though former slaves, could rival the magnificence of white monarchs.

King Henry created the finest mansion in America, rising four stories above a broad open terrace where fountains

One of the Citadel's many cannon emplacements.

played, with canals and basins in the gardens, as at Versailles. The terrace was reached by a double marble staircase, reminiscent of Fontainebleau. With red-tiled roof and peach-brick walls, this rose-coloured palace was called "Sans-Souci" in imitation of Frederick the Great. Tall ogival windows glittered in the sun, while the rooms within were paved with polished hardwood. On the great gilded carriage of His Black Majesty could be seen the sun motif of the Sun-King.

In the grand hall, hung with French and Flemish tapestries, under the vigilance of the Royal Dahomey Guard, the King held audience every Thursday. In the morning, the peasants came with their complaints, while the afternoon was reserved for the nobility. Wearing their prescribed attire of white tunics, silk hose, red shoes and swords with gilded hilts, they sat on folding chairs before the monarch on his golden throne.

All this finery had to be ordered from abroad, as well as the decor of the palace, which kept the elite busy on their plantations to pay for their costumes and their mansions. Henry had excellent relations with the British, with whom he traded the produce of the plantations for gold, establishing the kingdom's currency and paying for imports. Noting the exhausting labour of the peasants, a British admiral, Sir Home Popham, warned Henry that he was going too far, too fast. Alexandre Pétion, whose lax rule in the south made him popular, had an army ready to intervene should Henry falter. To this warning, the King replied: "If we could lay our hands on things we have made, monuments, towers, palaces, we might find our self-respect. While I live, I shall try to build that pride we need and in terms that white men as well as black can understand. I shall teach pride if I break every back in my kingdom!"

Yet Henry had other plans for his people besides endless toil. Most of his 170,000 subjects were illiterate, as was the King himself. Importing teachers from Britain and making use of educated mulattos, he created free primary schools and lycées, which soon had over 2,000 students.

A ruler of such energy and competence might have governed for many years, but in August 1820 a stroke left him paralysed. He struggled to carry on but, unable to walk, he could no longer control events. As the ancient mystique of African voodoo, which Henry had tried to banish, now swept the kingdom, his subjects abandoned the crippled monarch, while Pétion's army invaded Port-au-Prince, as the admiral had foretold. Realizing that his reign was over, King Henry put a bullet through his heart. ■

FRANCIS LEARY is an American writer, based in Paris, who has written extensively on historical subjects for European and American publications, especially on the period from the fifteenth century to the First World War.

RESTORING HENRY'S MONUMENTS

Long abandoned, King Henry's works presented a formidable job of restoration. When he died, his palace was pillaged, while the Citadel, already shattered by the explosion of the powder magazine in 1818, was also vandalized and the interior set ablaze. In 1842, further substantial damage was done by an earthquake. Because access to the Citadel was so difficult, however, the 18th-century armament of 163 guns, considered a unique collection, was preserved. The roofs and north façade of the palace had gone, while on the south façade the walls were cracked and windowless. Frequent flooding has undermined the foundations.

The programme of restoration of Henry's monuments, sponsored by UNESCO and the United Nations Development Programme (UNDP), was undertaken in 1980. It was directed by the noted Haitian architect Albert Mangones, with UNESCO's technical adviser Giselle Hyvert, and employed Haitian staff and workers. Since no original plans exist, it was necessary to do extensive research. Workshops in architectural design, masonry, woodwork, ironwork and tiles were organized. One workshop at Milot produced more than 150,000 tiles and bricks, while another at the Citadel turned out hinges, hooks, locks and paint.

To stop flooding, drainage was essential for both Citadel and palace. Retaining walls were erected to shore up the battlements and to close fissures caused by the explosion. Cannon were positioned on their repaired gun carriages and the vaults of the casements restored. This armament, with 30,000 cannonballs and shells, should be a major tourist attraction when the Citadel-Museum is opened. Special rooms in the museum will be devoted to Henry Christophe and to the Liberator, Toussaint L'Ouverture. When work stopped in 1991, the basic tasks were completed, and Henry's grandeur preserved for posterity. ■ F. L.

Charles Edouard Jeanneret-Gris, known as Le Corbusier (1887-1965).

Le Corbusier

Venice: a picture of harmony

The visionary architect and town-planner Le Corbusier (Charles-Edouard Jeanneret; 1887-1965) was one of the speakers at a symposium organized by the Institute of Intellectual Co-operation in Venice in 1934. Published below are extracts from the address in which explained why, in his opinion, Venice is an outstandingly successful city.

VENICE is a totality. In its present state of conservation it is a unique phenomenon, a unique example of total harmony, of utter purity and of the unity of a civilization. It has come down to us intact for one simple reason: it is built on water. Since the water has not changed, Venice could not change either! It has remained entire. For those who seek to see to what innumerable peaks of perfection a healthy system can lead humankind, Venice is an extraordinary example.

Who was the genius who, at a certain moment in time, had the idea of turning what might have been just a small town into a city with the potential for development? It was a great and strikingly insightful conception of what a city can offer. The first step was to create the necessary amenities—Venice is entirely made up of such amenities. What came first? *Transport.* It is central to all Venetian preoccupations, for water is everywhere, a means of defence but also an obstacle to movement. The problem is how people can travel about and live on the water, not just once in a while but as they go about their daily business. So by a set of circumstances of great interest from the point of view of art—for art is a way of putting things in order, in their place, where they fit—one thing leading implacably to another, life gradually establishes itself on the lagoon. A city is born and people live in it, enjoying amenities so excellent that they remain in perfectly good working order to the present day, when no other city in the world has been able to resist the explosive incursion of machines.

It is not for the palaces of Venice alone that I reserve my admiration. I observe the city from the moment I arrive at the railway terminus, the steps that take me down to the waterside; then the gondola that is waiting for me. What strikes me first and foremost is not the romantic appeal of the gondola but the discovery of what a magnificent device this intensely rational invention is. To what miracle is it due that, ever since people have been describing Venice and painters have depicted the city, the gondola has not changed its shape? How has it escaped the whims of changing styles and fashions? Except for a few unimportant decorations, a few carvings that make it neither more beautiful nor more ugly, some little bronzes representing a chimaera or the like, mere details, the biological state of the gondola—that of a marvellous, balancing instrument, very like an aeroplane in its mechanical reality—has never changed, has remained constant, proving the existence of links of cause and effect that are fundamental if a given object concerned has always served people's needs and has been built to a human scale.

Let us move on from the gondolas to the little harbours where they come alongside, to the water gates opening into the houses, to the bridges one crosses, built strictly on a human scale and made proportional to this means of transport. I am not speaking here of the Rialto bridge, which may—or may not—be very beautiful, but rather of the countless little bridges that are, as it were, the setting for a precious object—a gondola with a gondolier standing upright aboard. Complete unity reigns, the steps where one disembarks are extraordinarily ingenious in their design—I could go on.

Venice's streets too are extraordinary: streets where we go on foot, where we are masters of terra firma, lords of the land; where we are at peace, where our ears are soothed, where we can safely stroll where our footsteps take us—streets without traffic! In Rome the other day, I publicly stated the case for the dignity of the pedestrian. In the name of the world's cities, I called for an end to the scandal of modern streets slashed in two by cars, an end to the

Text selected and presented by Edgardo Canton

threat of death in the streets. I said that it was possible to separate pedestrians completely from cars, that they could have the cities at ground level entirely to themselves. The Venetians are the undisputed masters of their city's streets, the pedestrian is king. Have you noticed how proud and cheerful Venetians are, in the streets, in the squares, on the great Riva degli Schiavoni?

The streets, the pedestrians, the water are all part of a wonderful unity; we are now ready to appreciate all the differences of scale and all the subtlest nuances of this ensemble. We appreciate them because our eyes are 1.6 metres above the ground, and they are the instruments with which we measure things. What is the value of the gigantic but out-of-place, the disproportionate? In Venice nothing is out of proportion, thanks to its watery setting.

Streets on land and streets of water: perfect measure. Now consider the houses, another element of the art. Admittedly, those who have tasted the bitter flavour of modern life can no longer live in Venice, which is built to suit walking. Things move too slowly there. But when I try to see things from the point of view of normal times and slower paces, I can see everywhere the care that went into every gesture and every decision when the houses were built. I am not talking about the palaces; palaces don't matter to me! House after house, dwelling after dwelling was built, with gardens wherever a little of the scarce soil could be set aside. Here too all is measure and proportion and a human presence. Explore the city to its innermost recesses and you will appreciate that everywhere, in this superlative example of an urban undertaking, there is tenderness.

Here at last we come to the reason why the whole world speaks of Venice and is right to do so. The third factor influencing the character of the place, more than problems of transport and housing, is the outlook that turned inert materials into a living, breathing city—civic spirit! It bursts forth here as it does virtually nowhere else in Western civilization. Civic spirit determined everything in Venice. It inspired the builders, it created the great public *palazzi*, the statues, the paintings. It breathed a beauty that is both palpable and omnipresent into everyday items. I have shown you how far this "decorative art" (what a pathetic term that is!) can extend.

I should stress that this unanimous art is not frivolous; on the contrary, it is found in the implements of daily life, as when it created the gondola, that most purely Venetian object, and gives us the right to laugh off the complaints and lamentations we are always hearing today about the standardization of modern life. The gondola is a standardized object—a lot more standardized than a car. It has not changed in centuries, and has thus attained the perfection sometimes found in Greek temples. There was only one kind of temple, so the creative impulses could be concentrated on the matter of quality. The amenities of urban life—transport and housing—plus civic spirit drew the entire population into becoming part of a totality—an enthusiastic and fruitful gesture that amounted as it were to a mark of affection bestowed on each object.

The result was the joy of creation and of participating in a collective act, and the happy outcome of the enterprise may be seen today, five or ten centuries later, in the proud and cheerful Venetian populace crowding the city's streets, squares and magnificent waterfront.

Let us now leave Venice and set foot again in contemporary realities. ■

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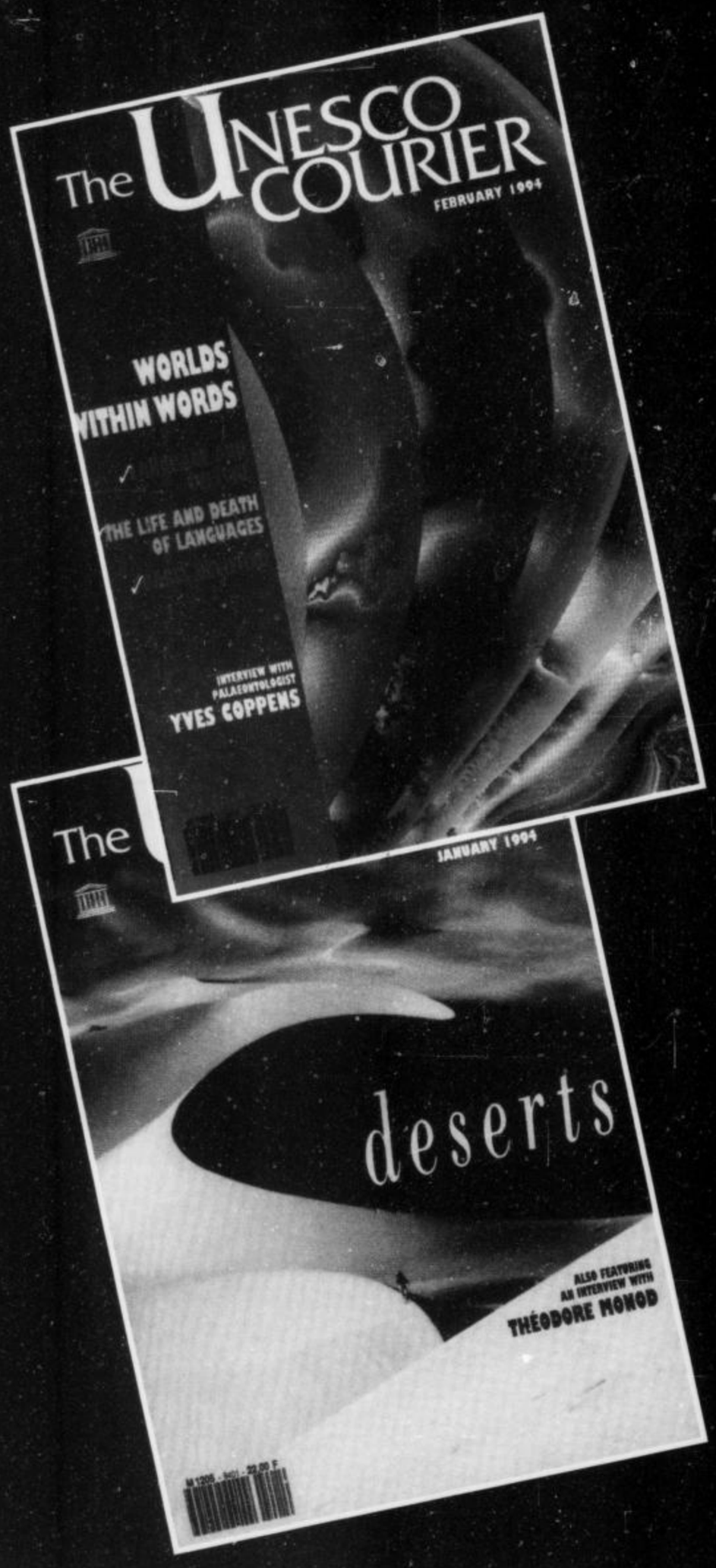

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FRANÇOIS MITTERRAND... JORGE AMADO... RICHARD ATTENBOROUGH... JEAN-CLAUDE CARRIERE... JEAN LACOUTURE... FEDERICO MAYOR... NAGUIB MAHFOUZ... SEMBENE OUSMANE... ANDREI VOZNESENSKY... FREDERIC ROSSIF... HINNERK BRUHNS... CAMILO JOSE CELA... VACLAV HAVEL... SERGEI S. AVERINTSEV... ERNESTO SABATO... GRO HARLEM BRUNDTLAND... CLAUDE LEVI-STRAUSS... LEOPOLDO ZEA... PAULO FREIRE... DANIEL J. BOORSTIN... FRANÇOIS JACOB... MANU DIBANGO... FAROUK HOSNY... SADRUDDIN AGA KHAN... JORGE LAVELLI... LEON SCHWARTZENBERG... TAHAR BEN JELLOUN... GABRIEL GARCIA MARQUEZ... JACQUES YVES COUSTEAU... MELINA MERCOURI... CARLOS FUENTES... JOSEPH KI-ZERBO... VANDANA SHIVA... WILLIAM STYRON... OSCAR NIEMEYER... MIKIS THEODORAKIS... ATAHUALPA YUPANQUI... HERVE BOURGES... ABDEL RAHMAN EL BACHA... SUSANA RINALDI... HUBERT REEVES... JOSÉ CARRERAS... A LETTER FROM FREUD TO EINSTEIN... LUC FERRY... CHARLES MALAMOUD... UMBERTO ECO... OLIVER STONE... ANDRÉ BRINK... JAMES D. WATSON... AMOS OZ... MICHEL SERRES... THEODORE MONOD... YVES COPPENS... EDOUARD J. MAUNICK...

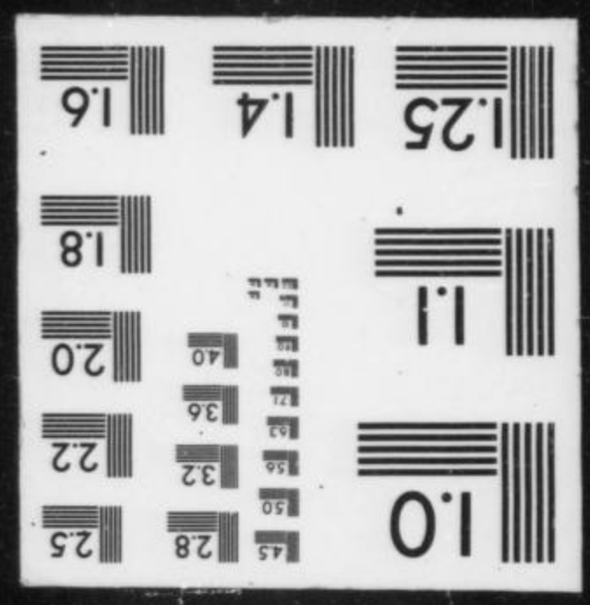
THEME OF THE NEXT ISSUE (APRIL 1994):

COMPANIES AND CULTURES

HOW MODERN BUSINESS INTERACTS WITH LOCAL TRADITIONS

ALSO FEATURING AN INTERVIEW WITH THE FRENCH ANTHROPOLOGIST

JEAN MALAURIE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